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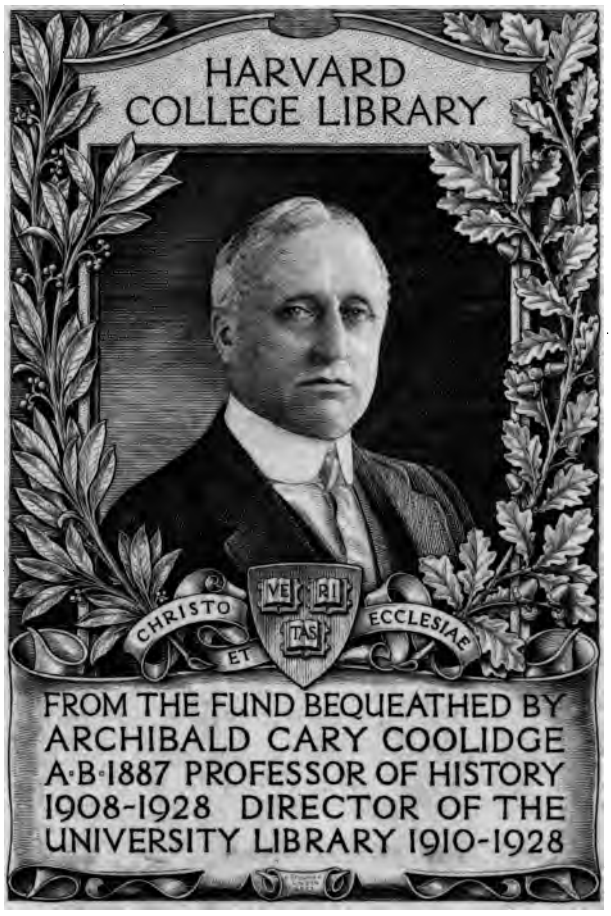
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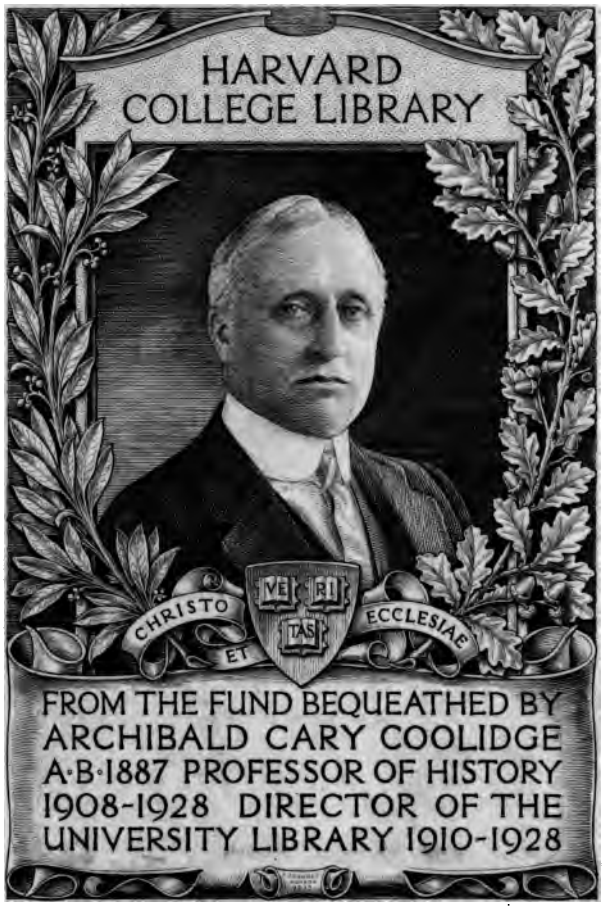
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TREATIES, &c.

CONCLUDED BETWEEN

GREAT BRITAIN AND PERSIA,

AND BETWEEN

PERSIA AND OTHER FOREIGN POWERS,

WHOLLY OR PARTIALLY IN FORCE ON THE

1ST APRIL, 1891.

BY

SIR EDWARD HERTSLET, C.B.

(*Librarian and Keeper of the Papers, Foreign Office*).

LONDON:

BUTTERWORTHS, 7, FLEET STREET,

Law Publishers to The Queen's Most Excellent Majesty.

HARRISON & SONS, 59, PALL MALL,

Booksellers to The Queen and H.R.H. The Prince of Wales.

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PREFACE.

In January, 1875, the publication of a separate collection of Treaties was commenced, the object of which was to show how the Trade between Great Britain and Foreign Powers was regulated, and what Privileges British Subjects could enjoy in certain Foreign Dominions and Possessions, not only under the English Treaties concluded with those Powers, but also in virtue of the Treaties which those Powers had concluded with other Countries, the benefits of which could be claimed by this country under the most-favoured-nation clauses of the English Treaties.

The First Part of this collection was devoted to an examination of the Treaties which AUSTRIA-HUNGARY had concluded with Great Britain and with other Foreign Powers. This was followed by a similar examination, in separate collections, of the Treaties concluded by TURKEY, ITALY, CHINA, JAPAN, and SPAIN.

The General Title given to these Volumes was—"Treaties and Tariffs regulating the Trade between Great Britain and Foreign Nations."

The present Volume relating to Persia is intended to form one of this series; but it has been found necessary to alter the Title, since it has been considered advisable to include other Subjects than those of Trade, and to insert in the Collection not simply abstracts but complete copies of the Treaties which Persia has concluded, not with this country only but also with other Powers, relating to Commerce, Navigation, Telegraphic communications, the Slave Trade, Boundaries, and other matters.

The Title of the present Volume will therefore be—"Treaties concluded between Great Britain and Persia, and between Persia and other Foreign Powers; wholly or partially in force on the 1st April, 1891."

It has not been thought necessary to give copies of the expired Treaties concluded between this Country and Persia previous to the commencement of the present century, as they are all to be found in the 6th Volume of "Aitchison's Collection

of Treaties," published at Calcutta; but it has been thought that it might be interesting if the collection commenced with the Treaties concluded in January, 1801, although all the Treaties concluded between that date, and March, 1857 (with the exception of the Commercial Treaty of 28th October, 1841), have now ceased to be in force.

The following, then, is a List of the Treaties and other International Engagements which have been entered into between Great Britain and Persia since the 1st January, 1801 :—

No.			Page.
1.	1801.	January. Political Treaty	1
2.	„	January. Commercial Treaty..	1
3.	1809.	12th March. Preliminary Treaty of Friendship and Alliance.	4
4.	1812.	14th March. Definitive Treaty of Friendship and Alliance..	5
5.	1814.	25th November. Definitive Treaty of Friendship and Subsidy	6
6.	1828.	March—August. Agreement cancelling the Subsidy Articles of the Treaty of 25th November, 1814	7
7.	1841.	28th October. Commercial Treaty .. .. (See also Treaty of 4th March, 1857, Art. IX, p. 19.)	9
8.	1851.	August. Convention authorising the detention and search of Persian Vessels by British and East India Company's Cruizers, with a view to the suppression of the Slave Trade .. .. (Confirmed by Article XIII of the Treaty of 4th March, 1857, but cancelled by Art. IV of the Convention of 2nd March, 1882, p. 42.)	12
9.	1853.	25th January. Engagement contracted by Persian Government towards the British Government, with regard to Herat	14

War was declared by Great Britain against Persia on the 1st November, 1856, and the Treaty of Peace was signed at Paris on the 4th March, 1857.

No.			Page.
10.	*1857.	4th March. Treaty of Peace. Engagement with regard to Herat and Afghanistan, &c.	16
11.	1862.	17th December. Engagement. Telegraph Line. Khanakeen to Bushire, *vid* Tehran	23
12.	1865.	23rd November. Telegraph Convention	25
13.	*1868.	2nd April. Telegraph Convention	30
	*1871.	1st—4th September. Arrangement. Boundary. Persia and Kelat	105
---	*1872.	August. Arrangement. Persia and Afghanistan. Seistan Boundary. British Award	63
14.	*1872.	2nd December. Telegraph Convention	32
—	*1873.	15th May. (Proposed) Amended Arrangement. Boundary. Persia and Kelat	106
15.	*1882.	2nd March. Slave Trade Convention..	40
16.	1887.	3rd July. Agreements. Prolongation of Telegraph Conventions of 2nd April, 1868, and 2nd December, 1872 ..	43

Those Treaties which are still in force are marked with an asterisk; but a short abstract of the contents of those which have expired is also given for convenience of reference under their respective dates.

In addition to the direct Engagements which Persia has entered into with this Country, she was also a Signatory, or an Acceding Party, to the following general International Engagements, to which Great Britain was also a Party:—

1865. 17th May. International Telegraph Convention (Paris).
"State Papers," Vol. LVI, p. 295.

1868. 21st July. International Telegraph Convention (Vienna).
"State Papers," Vol. LIX, p. 322.

„ 11th December. Declaration. Non-use in time of war of Explosive Projectiles under 400 grammes weight (St. Petersburgh).
"State Papers," Vol. LVIII, p. 16.

1872. 14th January. International Telegraph Convention (Rome).
"State Papers," Vol. LXVI, p. 975.

1874. 5th December. Accession to (Geneva) Convention of 22nd August, 1864, respecting the Wounded in Armies in the Field.
"State Papers," Vol. LXX, p. 1168.

1875. 22nd July. International Telegraph Convention (St. Petersburgh).
"State Papers," Vol. LXVI, p. 19.

1877. 18th August. Declaration. Accession of Persia to General Postal Union Treaty signed at Berne, 9th October, 1874.
"State Papers," Vol. LXV, p. 13.

1878. 15th August. Accession to Universal Postal Union of 1st June, 1878 (Paris). ("State Papers," Vol. LXIX, p. 210.) (Amended by Additional Act of 21st March, 1885.)
"State Papers," Vol. LXIX, p. 276.

1880. 3rd November. Exchange of Postal Parcels without declaration of value (Paris).
"State Papers, Vol. LXXI, p. 356.

1884. 14th March. Protection of Submarine Cables. (Signed by Persian Plenipotentiary, but not ratified by the Shah.)
"Hertslet's Treaties," Vol. XVII, p. 495.

1885. 21st March. Additional Act to Convention of 1st June, 1878. ("State Papers," Vol. LXIX, p. 210.) Universal Postal Union (Lisbon).
"Hertslet's Treaties," Vol. XVII, pp. 235, 241, 243.

The Shah of Persia has also issued the following Firmans, &c., granting certain Commercial and other Privileges to Great Britain and other Countries, and for the Suppression of the Slave Trade:—

		Page.
1823.	July (August). Abolition of Export Duty on Horses ..	47
1836.	5th May. Permission to British Merchants to trade with Persia on payment of the same duties as those paid by Russian Merchants (see also Treaty of 4th March, 1857, Art. IX, p. 19)	48
1839.	15th September. Protection of Servants and Dependants of the British Mission	48
1840.	April. Ditto, ditto (amended)..	49

		Page.
1844.	May (June). Protection of British Merchants in case of Bankruptcies..	50
1848.	12th June. Prohibition against the importation of Slaves by Sea	54—56
1888.	26th May. Protection of Lives and Properties of Persian Subjects	56, 57
1888.	30th October. Opening of the Karoon River	58
1890.	1st February. Notice. Prohibition against Traffic in Slaves by Sea or Land	58

It may also be mentioned that an Understanding was arrived at between Great Britain and Russia in 1834, with regard to the maintenance of the INDEPENDENCE and INTEGRITY of Persia, which was admitted to be in force, by an Exchange of Notes, in 1838, in 1873, in 1874, and again in 1888 (page 209).

In 1834, an Understanding was also arrived at between Great Britain and Russia, with regard to the SUCCESSION to the Persian Throne (page 215).

In March, 1865, an Agreement was arrived at between Great Britain and Russia respecting a Map of the Turco-Persian Frontier (page 218).

On the 27th July, 1880, a Protocol was signed between Great Britain and Russia, fixing the Boundaries between Turkey and Persia in the Territory of Khotour, in accordance with Article LX of the Treaty of Berlin of 13th July, 1878 (page 219).

On the 13th December, 1889, Two Orders in Council were passed, one entitled "The Persia Order in Council, 1889," and the other "The Persian Coast and Islands Order in Council, 1889." These Orders are too voluminous to find a place in this collection, but a short abstract of the contents of each of them is given at pages 193, 199.

A List of the Treaties, &c., which Persia has concluded with Foreign Countries other than with Great Britain, is given at page 61; and, as it is stipulated in Article IX of the Treaty of Peace of 4th March, 1857 (page 19), that "THE HIGH CONTRACTING PARTIES ENGAGE THAT IN THE ESTABLISHMENT AND RECOGNITION OF CONSULS-GENERAL, CONSULS, VICE-CONSULS, AND CONSULAR AGENTS, EACH SHALL BE PLACED IN THE DOMINIONS OF THE OTHER ON THE FOOTING OF THE MOST FAVOURED NATION; AND THAT THE TREATMENT OF THEIR RESPECTIVE SUBJECTS, AND THEIR TRADE, SHALL ALSO, IN EVERY RESPECT, BE PLACED ON THE FOOTING OF THE TREATMENT OF THE SUBJECTS AND COMMERCE OF THE MOST FAVOURED NATION," copies of those

Treaties are given, in alphabetical order, preceded by an abstract of their Contents.

They are classified again, according to Subjects, in the Index, which will be found at the end of the Volume; so that it can readily be ascertained what Privileges have been conceded by Persia to Foreign Countries, the benefits of which can be enjoyed by Great Britain, in addition to the privileges directly conceded by Persia to British Subjects and their Trade.

In conclusion, I beg to state that this Work is not an official publication but purely a Private Undertaking, and that I am personally responsible for the statements which it contains.

EDWARD HERTSLET.

Foreign Office,
1*st April*, 1891.

PART I.

PAGE

Copies or Abstracts of Treaties, &c., concluded between Great Britain and Persia..... 1801—1887 1

PART II.

Firmauns issued by the Shah of Persia granting Commercial and other Privileges to Great Britain and other Powers; and for the Suppression of the Slave Trade.... 1823—1888 45

PART III.

Treaties, &c., concluded by Persia with Foreign Powers other than with Great Britain, which were wholly or partially in force on the 1st April, 1891..... 59

PART IV.

British Orders in Council respecting Consular Jurisdiction in Persia; and in the Persian Gulf and Gulf of Oman (Persian Coasts and Islands)..... 13th December, 1889 191

PART V.

Agreements between Great Britain and Russia respecting Persia ..... 1834—1888 207

CONTENTS.

PART I.

TREATIES, &c., CONCLUDED BETWEEN GREAT BRITAIN AND PERSIA, 1801–1887:—

No.		PAGE
1.	Political Treaty between the English Government and the Shah of Persia. January, 1801	1
2.	Commercial Treaty between the English Government and the Shah of Persia. January, 1801	1
3.	Preliminary Treaty of Friendship and Alliance between Great Britain and Persia. 12th March, 1809	4
4.	Definitive Treaty of Friendship and Alliance between Great Britain and Persia. 14th March, 1812	5
5.	Definitive Treaty of Friendship and Alliance between Great Britain and Persia. 25th November, 1814	6
6.	Agreement between Great Britain and Persia, cancelling the Subsidy Articles of the Treaty of 25th November, 1814. March–August, 1828	7
7.	Treaty of Commerce between Great Britain and Persia. 28th October, 1841	9
8.	Agreement between Great Britain and Persia, authorising the Detention and Search of Persian Merchant Vessels by British and East India Company's Cruizers, with a view to the Suppression of the Slave Trade August, 1851	12
9.	Engagement contracted by the Persian Government towards the British Government regarding Herat. 25th January, 1853	14
10.	Treaty of Peace between Great Britain and Persia. 4th March, 1857	16
11.	Engagement entered into by the Persian Government towards the British Government for the construction of a Line of Telegraph from Khanakeen to Bushire, *vid* Tehran. 17th December, 1862	23
12.	Convention between Great Britain and Persia relative to Telegraphic Communication between Europe and India. 23rd November, 1865	25
13.	Convention between Great Britain and Persia for extending and securing Telegraphic Communication between Europe and India. 2nd April, 1868	30
14.	Convention between Great Britain and Persia, for continuing the system of Telegraphic Communication between Europe and India through Persia. 2nd December, 1872	32
15.	Convention between Great Britain and Persia, for the suppression of the Traffic in Slaves. 2nd March, 1882	40
16.	Agreements between the British and Persian Governments for prolonging, until 31st January, 1905, the Conventions between Her Majesty and the Shah of Persia of 2nd April, 1868, and 2nd December, 1872, relative to Telegraphic Communication between Europe and India. 3rd July, 1887	43

PART II.

FIRMAUNS ISSUED BY THE SHAH OF PERSIA, 1823–1890.

		PAGE
Abolition of Export Duty on Horses.	July (August), 1823	47
British Trade with Persia.	5th May, 1836	48
Protection of Servants and Dependants of British Mission.	15th September, 1839	48
Ditto (Amended).	April, 1840	49

		PAGE
Bankruptcies, Protection of British Merchants.	May (June), 1844	50
Prohibition against Importation of Negro Slaves by Sea.	June, 1848	54
Protection of Lives and Property of Persian Subjects.	26th May, 1888	56
Opening of the Karun River.	30th October, 1888	58
Notice. Prohibition against the Traffic in Slaves by Sea or Land.	1st February, 1890	58

PART III.

TREATIES, &c., CONCLUDED BY PERSIA WITH FOREIGN POWERS (OTHER THAN WITH GREAT BRITAIN), 1693–1889 :—namely, with

			PAGE
Afghanistan.....	Aug., 1872.....	British Award. Seistan Boundary	63
Austria-Hungary.	17th May, 1857 ..	Treaty. Commerce and Navigation	66
Belgium.....	31st July, 1857 ...	Friendship and Commerce	73
Denmark.....	30th Nov., 1857...	Friendship and Commerce	77
Egypt.....	1823. 1889.....	Special Commercial Arrangements	80
France	12th July, 1855 ..	Friendship and Commerce	80
Germany	6th, 11th June, 1873	Friendship and Commerce	84, 93
Greece.....	28th Oct., 1861 ...	Friendship, Commerce, and Navigation	94
Italy	24th Sept., 1862 ..	Friendship, Commerce, and Navigation	100
„	29th Sept., 1862 ..	Addl. Art. Silkworms' Eggs and Cocoons.....	104
Kelat	1st–4th Sept., 1871	Notes. Great Britain and Persia. (Beloochistan, &c.) Boundary..	105
„	15th May, 1873 ...	Amended Notes (proposed) ditto .	106
Netherlands	3rd July, 1857....	Friendship and Commerce	108
Oman (Muscat) ..	17th Nov., 1856 ..	Bender Abbas (terminated)	112
Russia.....	12th Oct., 1813 ..	Peace and Friendship (Gulistan)..	115
„	22nd Feb., 1828 ..	Peace and Friendship (Tourkmantchai).....	117
„	22nd Feb., 1828 ..	Commerce (Tourkmantchai).....	125
„	22nd Feb., 1828 ..	Ceremonial. Reception of Diplomatic Agents (Tourkmantchai) .	130
„	3rd July, 1844 ...	Interpretation of Art. 14 of Treaty of 22nd February, 1828. Disorders on the Frontiers. Passports	133
„	13th Dec., 1869...	River Attrek to form Boundary on East Coast of the Caspian Sea ..	133
„	$\frac{12}{24}$th May, 1879 ...	Telegraphic (expired. But see Convention, $\frac{19th}{31st}$ Jan., 1881)	134
„	31st Jan., 1881 ...	Telegraphic.....	134
„	$\frac{9th}{21st}$ Dec., 1881....	Akhal-Khorassan Boundary. East of Caspian Sea.....	136
Spain	4th Mar., 1842 ...	Friendship and Commerce.....	140
„	9th Feb., 1870....	Friendship and Commerce	144
Sweden and Norway	17th Nov., 1857 ..	Friendship and Commerce	146
Switzerland.....	23rd July, 1873 ..	Friendship and Commerce	149
Turkey	1639	Friendship and Commerce. Note..	153
„	23rd Oct., 1727 ...	Peace.....	153
„	Jan., 1746.....	Peace.....	155
„	Jan., 1747.....	Peace.....	160
„	28th July, 1823...	Peace (Erzeroom)	163
„	31st May, 1847...	Limits (Erzeroom)	169

			PAGE
Turkey	28th Nov., 1863...	Telegraphic.....	173
„	3rd Aug., 1869 ...	Provisional Arrangement. Turco-Persian Frontiers	176
„	20th Dec., 1875 ...	Consular Jurisdiction. Civil and Commercial Suits. Trade Guilds. Protection. Nationality, &c. ..	179
„	4th Jan., 1876	Vizirial Letter explanatory of ditto	184
„	13th July, 1878 ..	Cession by Turkey to Persia of Town and Territory of Khotour	219
„	27th July, 1880 ..	Protocol, Great Britain and Russia ditto	219
United States....	13th Dec., 1856 ..	Friendship and Commerce	186

PART IV.

ORDERS IN COUNCIL RESPECTING BRITISH CONSULAR JURISDICTION IN PERSIA AND IN THE PERSIAN GULF AND GULF OF OMAN:—

		PAGE
In Persia	13th December, 1889	193
In Persian Gulf and Gulf of Oman (Persian Coasts and Islands)	13th December, 1889	199

PART V.

AGREEMENTS BETWEEN GREAT BRITAIN AND RUSSIA RESPECTING THE AFFAIRS OF PERSIA.

No.		PAGE
1.	Agreements respecting the maintenance of the Integrity and Independence of Persia. [Confirmed in 1873, in 1874, and in 1888.] September, 1834	209
2.	Agreement respecting Succession to the Persian Throne. August, September, 1834	215
3.	Agreement respecting a Map of the Turco-Persian Boundary. March, 1865	218
4.	Protocol fixing the Boundary between Turkey and Persia in the Territory of Khotour. 27th July, 1880	219

List of British Ambassadors and Envoys to the Court of Persia. 1800–1890 220

List of Persian Ambassadors, Representatives, and Envoys to the Court of Great Britain, 1810–1890 222

SUBJECT INDEX.. 223

PART I.

COPIES OR ABSTRACTS OF TREATIES, &c.

CONCLUDED BETWEEN

GREAT BRITAIN AND PERSIA.

1801—1887.

(No. 1.) *POLITICAL TREATY between the English Government and the Shah of Persia.—January* 1801.*

TABLE OF CONTENTS.

Art.

Preamble.

I. Mutual aid and assistance.

II. Engagement of the Shah to lay waste the Afghan Dominions in event of the Afghans attempting to invade India.

III. Peace to be concluded with the Afghans only on condition of their abandoning all designs against India.

IV. Engagement of Persia to oppose hostile attack by Afghans or by the French against the English.

V. Engagement of Persia to prevent the French from settling or residing in any of the Islands or Shores of Persia.

Engagement of the English to assist Persia with Military Stores in the event of war between the Persians and the French.

This Treaty was concluded by Captain (afterwards Sir) John Malcolm on behalf of the British Government, and by Hajee Ibrahim Khan on behalf of Persia. It is no longer in force.

(No. 2.) *COMMERCIAL TREATY between the English Government and the Shah of Persia.—January* 1801.†

TABLE OF CONTENTS.

Art.

Preamble.

I. Protection of Merchants, their Goods, and Cattle.

II. No duties to be charged on Government Goods required by English Employés.

* See "Aitchison's Treaties," Vol. 6, page 378.

† See "Hertslet's Commercial Treaties," Vol. 13, page 660, and "Aitchison's Treaties," Vol. 6, page 381.

Art.
III. Injuries inflicted by Thieves or Robbers. Payment of Debts.
IV. Recovery of Debts due to English Government by deceased Persians. Hire and punishment of Domestic Natives by British Employés.
V. Right of the English to build or rent Houses in Persia. Repair of damaged Ships in Ports of either country. Wrecks.

Final Article.

Right of British Subjects to leave Persia with their Property.

Additional Article.

Duties on certain British Goods to be charged 1 per cent. Duties charged in Persia and India on other goods to remain fixed.

This Treaty was concluded by Captain (afterwards Sir) John Malcolm on the part of the British Government, and by Hajee Ibrahim Khan, on the part of Persia. It is no longer in force.

The following account is given in "Aitchison's Treaties,"* of what passed between the signature of the Treaties of January, 1801, and the conclusion of the Treaty of 12th March, 1809 :—

"In 1805, during the war between Persia and Russia, which originated in the invasion of Georgia, the Shah of Persia, having suffered severe reverses, and being threatened with the vengeance of Russia for the treacherous murder of a Russian General, threw himself on the support of Napoleon, who was then at the height of his power, and made overtures for a union of political interests with France. He bitterly resented the interpretation which the British Government put upon the Treaty of 1801 and their refusal to give him the assistance against Russia which he claimed under that Treaty, and in consideration of which he had offered, through his Ambassador, Aga Mahomed Nubbi Khan, to relinquish the French alliance. The proposals of the French were that they should compel the Russians to restore the provinces wrested from Persia, and that they should furnish the Shah with military stores and officers to organize his army on the European system, while the Shah on his part was to declare immediate war with the English, to invade India by way of Afghanistan, and to permit a French army to invade India through his territories. These negotiations were frustrated by the peace concluded at Tilsit between Napoleon and the Emperor Alexander, but they had the effect of rousing the British Government to efforts for the recovery of their lost ascendency at the Court of Teheran and the protection of their Indian Empire by binding the western frontier States in a chain of friendly alliance. Missions were sent to the Ameers of Sind, Runjeet Sing, and the Court of Cabul, and Sir John Malcolm was again accredited as envoy to Persia. Unfortunately, however, without previous concert with the Indian Government, and in ignorance of the measures concerted by them, Sir Harford Jones was at the same time deputed direct from England as Plenipotentiary on the part of the Crown. This event led to unseemly complications, which had the effect

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* Vol. 6, page 357.

of rendering both Governments ridiculous in the eyes of the Persians.

"Sir John Malcolm was instructed, in the event of Sir Harford Jones arriving at Bombay on his way to Persia before him, to proceed as Envoy to Bagdad for the purpose of establishing an alliance with the Pasha and the petty chiefs in Arabia, leaving Sir H. Jones to conduct the negotiations at Teheran; but the paramount importance of recovering a footing in Persia was to overrule all other considerations, and Sir J. Malcolm was to proceed on his mission to Persia without delay if he should find himself the first in the field. Sir John arrived in Persia first, while the Shah was still trusting to the liberal promises with which the French amused him. Considering the dignity of the British Government insulted by an attempt, which he attributed to the influence of the French Embassy, to exclude him from the Royal presence and draw him into negotiations with subordinate officials at Shiraz, he concluded that there was no hope of a friendly alliance. He therefore abruptly quitted the country, and, proceeding to Calcutta, induced Lord Minto to prepare for the occupation of the Island of Kharrack, in the Persian Gulf, as a position from which the British Government could either negotiate with dignity or act with effect if war should be declared. The instructions given to Sir Harford Jones were that he should remain at Bombay till the issue of Sir John Malcolm's mission was known, but that he should proceed to Persia at once, in the event either of Sir J. Malcolm being obliged to leave without attaining his object, or of his succeeding in concluding a preliminary Treaty. On Sir John Malcolm's return, therefore, he set out for Teheran. Further instructions to suspend his mission reached him too late. He arrived at Teheran when the Shah had lost all faith in the professions of the French, which, in consequence of the peace with Russia and reverses in Europe, they were no longer able to fulfil, and he therefore found no difficulty in concluding a preliminary Treaty. By this Treaty, which was concluded on the 12th and exchanged on the 15th March, 1809,* all Treaties contracted by the King with European Powers were annulled, the Shah engaged to prevent the passage of European armies through his dominions towards India, and the English were to assist him with troops or a subsidy if any European forces should invade his territories, and to take no part except as mediators in any war between Persia and Afghanistan."

* Page 4.

(No. 3.) *PRELIMINARY TREATY of Friendship and Alliance between Great Britain and Persia.—Signed at Tehran, 12th March,* 1809.

[Ratifications exchanged 15th March, 1809.]

TABLE OF CONTENTS.

Art.
Preamble.
I. Preliminary Articles to form a basis of a Definitive Treaty of Peace and Friendship.
II. Unalterable Friendship.
III. Abrogation of all Treaties or Agreements made with European Powers. No European Force to be allowed to pass through Persia, India, or Indian Ports.
IV. British Subsidy to Persia in event of European invasion. Persian assistance to India in event of attack or invasion by Afghans or any other Power.
V. Non-retention of Island of Karrak or of Persian Ports temporarily occupied by British troops. Disposal of Troops sent to Persia from India.
VI. Supply of Provisions, &c., to British Troops at Island of Karrak or in Persian Ports.
VII. Non-interference of Great Britain in event of War between Persia and the Afghans, except as a Mediator.
VIII. Preliminary Articles merely defensive. Non-conclusion by Persia of engagements inimical to British interests.

This Treaty was concluded by Sir Harford Jones, Bart., on the part of Great Britain, and by Mahommed Sheffeeh and Mahommed Hoossein on the part of Persia.

The validity of this Treaty, subject to such modifications as might afterwards be agreed upon, was recognised by Lord Minto, who, however, suspended the functions of Sir H. Jones, directed him to withdraw from Persia, and again sent Sir John Malcolm as Envoy to the Shah for the purpose of concerting further arrangements. Meanwhile Sir H. Jones had received orders from England to remain at Teheran till the arrival of another Plenipotentiary, Sir Gore Ouseley, whose powers superseded those both of Sir H. Jones and Sir J. Malcolm. A Definitive Treaty based on the Preliminary Treaty of 1809, was concluded by Sir Gore Ouseley, on 14th March, 1812 (Page 5), but some of the stipulations were altered in England, and it was not till 1814 that the terms of the Treaty (Page 6) were finally adjusted (Aitchison, Vol. 6, page 359).

(No. 4.) *DEFINITIVE TREATY of Friendship and Alliance between Great Britain and Persia.—Signed at Tehran, 14th March,* 1812.

TABLE OF CONTENTS.

Art.

Preamble.

I. All alliances formerly contracted between Persia and European Nations declared null and void. No European Army to be allowed to enter Persian territory, nor to proceed towards India. No European having hostile designs against India to enter Persia. Persia to do all in its power to induce European Powers not to attempt to invade India.

II. Assistance to be rendered by Great Britain by an armed force or by an annual subsidy of 200,000 tomauns to defend Persia against invasion by any European Nation.

III. Every endeavour to be made by England to bring about a friendly understanding with any European Power engaged in War with Persia, in event of Peace being concluded between that Power and England. Failing success, Persia to be furnished with an Army from India, or an annual subsidy of 200,000 tomauns. In event of war continuing between Persia and any European Nation, English Government to furnish Officers. &c., for the purpose of drilling and disciplining the Persian Army, if required.

IV. Subsidy granted in lieu of troops to be paid by British Government by early instalments.

V. Persia to send an Army against Afghanistan in event of the Afghans being at War with the English; such Army to be paid for by the British Government.

VI. British Government not to interfere in event of War between Persians and Afghans, unless its mediation be asked for.

VII. In event of Persia determining to establish a Naval Force on the Caspian Sea, British Naval Officers, Seamen, Shipwrights, and others to be allowed to enter service of King of Persia, on the understanding that they be paid by His Persian Majesty.

VIII. Any Persian Subject of distinction showing signs of hostility and rebellion and taking refuge in British Territories, to be turned out of the country or seized and sent back to Persia.

IX. English Government to assist the King of Persia with Ships of War and troops in the Persian Gulf, if convenient and practicable. Expense to be paid by Persia. Ships to anchor in ports to be pointed out by Persian Government.

X. Allowances to be paid by Persia to Officers, Drill Sergeants, and others sent to discipline Persian Army. Power reserved of dismissal in case of neglect of duty.

XI. Articles of Treaty to be binding on respective Heirs Apparent of the two Contracting Sovereigns.

XII. Object of Treaty. Mutual assistance for defeating aggressions of Enemies. Desire of Great Britain to strengthen and consolidate Persian Government; to prevent Foreign Nations from invading Persia; to raise her Political consequence; and to increase her Territory. British Government not to interfere in internal quarrels of Persia unless invited by the King of Persia to do so, and not to accept a Persian Province if offered by one of the contending Parties.

This Treaty was concluded by Sir Gore Ouseley on the part of Great Britain, and by Mohammed Sheffee and Mohammed Hossein on the part of Persia, but some of its stipulations were altered in England, and it was not till the 25th November, 1814, that the terms of the Definitive Treaty of Peace were finally agreed upon. (See page 6.)

(No. 5.) *DEFINITIVE TREATY of Friendship and Alliance between Great Britain and Persia.—Signed at Tehran, 25th November,* 1814.*

TABLE OF CONTENTS.

Art.

Preamble. References to Treaties concluded by Sir Harford Jones on the 12th March, 1809, and by Sir Gore Ouseley on the 14th March, 1812. Separate Treaty to be concluded relating to Commerce, &c.†

I. All alliances between Persia and European Nations in state of hostility with Great Britain null and void. No European Army to be allowed to enter Persian Territory, nor to proceed towards India. No Europeans having hostile designs against India to enter Persia. Persia to do all in its power to induce neighbouring States to prevent invasion of India through their Territories.

II. Lasting Friendship. Non-interference of Great Britain in disputes between Princes, Noblemen, and Great Chiefs of Persia. British Government not to accept from them a Province of Persia, if offered.

III. Mutual assistance against aggressions of Enemies. Definition of the word "aggression." Limits between Persia and Russia to be determined by Great Britain, Persia, and Russia.

IV. British Subsidy to Persia in event of European Invasion to consist of Troops and Warlike Stores from India or of an Annual Subsidy of 200,000 tomauns (conditionally) from British Government.

V. Employment of European Officers to discipline Persian Troops.

VI. Endeavours to be made to include Persia in any Treaty of Peace between Great Britain and an European Power at War with Persia, failing which military support from India and British Subsidy to Persia to be ascertained.

VII. Payment of Subsidy by Instalments.

VIII. Assistance to be afforded by Persia to the English against the Afghans in the event of their being at War with them.

IX. Non-interference of the British Government in event of War between Persia and Afghanistan.

X. Disaffected Persons of Distinction not to be sheltered in British Dominions. Reciprocal Treatment between Contracting Parties.

XI. Assistance to be afforded to Persia by British Ships of War in Persian Gulf.

XII. Amendments made in Definitive Treaty of Friendship and Alliance of 14th March, 1812 (Page 5).

This Treaty was concluded by Mr. James Morier and Mr. Henry Ellis on behalf of Great Britain, and by Mahommed Sheffeeh, Abdul Wahad, and Isah (Meerza Bozoork) on behalf of Persia.

* See "State Papers," Vol. 1, page 261.
† See Treaty, 28th October, 1841, page 9.

(No. 6.) *AGREEMENT between Great Britain and Persia, cancelling the Subsidy Articles of the Treaty of 25th November,* 1814.*—*March–August,* 1828.†

(1.) *Bond granted by Abbas Meerza, Prince Royal of Persia, to Lieutenant-Colonel Macdonald, British Envoy. March,* 1828.

(Translation.)

BE it known to Colonel Macdonald, British Envoy at our Court, that we, the Heir Apparent to the Persian Throne, in virtue of the Full Powers vested in us by the Shah in all matters touching the Foreign Relations of this Kingdom, do hereby pledge our solemn word and promise, that if the British Government will assist us with the sum of 200,000 tomauns towards the liquidation of the indemnity due by us to Russia, we will expunge and hereafter consider as annulled the IIIrd and IVth Articles of the Definitive Treaty between the 2 States concluded by Mr. Ellis, and obtain the Royal Sanction to the same.

This Paper bears the Seal of His Royal Highness Abbas Meerza, and that of His Persian Majesty's Minister the Kaim Mukum.

Dated in the month of Shaban, or March, 1828.

(2.) *Ruckum of His Highness the Heir Apparent of Persia, ratifying the Abrogation of Articles III and IV of the Treaty of 25th November,* 1814.—*24th August,* 1828.

RELATIVE to the Articles III and IV of the propitious Treaty between England and Persia, which was concluded by Mr. Ellis, in the month of Zeekand, A.H. 1229 [25th November, 1814] (Page 6), agreeably to the Engagements entered into with your Excellency, that in consequence of the sum of 200,000 tomauns, the currency of the Country, presented as an aid to Persia, in consideration of the losses she has sustained in the War with Russia, we, the Heir Apparent, vested with Full Powers in all matters connected with the politics of this Nation, have agreed that the said 2 Articles shall be expunged, and have delivered a Bond to your Excellency, which is now in your hands.

In the month of Zikeyla, A.H. 1243, on our going to wait upon His Majesty at Tehran, in consistence with the Note addressed to your Excellency by Meerza Abul Hassan Khan, the Minister for Foreign Affairs, we were appointed Sole Agent in this matter by His Majesty, with unlimited authority; therefore, as the Government of England, through the medium of

* Page 6.
† From "State Papers," Vol. 1, page 264.

Colonel Macdonald, have afforded us the assistance of 200,000 tomauns, we, the Representative of His Majesty, have, on this day, the 14th of the month Suffer, and the 24th of the Christian month August, annulled the 2 obnoxious Articles of our propitious Treaty.

The Envoy, considering this Document as a Ratification on the subject of the 2 Articles, will know that it is liable to no further comment from the Ministers of His Majesty's Court.

Month of Suffer, A.H. 1244.

Sealed by H.R.H. ABBAS MEERZA.

(3.) *Firmaun of His Majesty the Shah of Persia, ratifying the above.*

(Translation.)

After Compliments.

LET it be known to Colonel Macdonald, the English Envoy, exalted by our munificence, that our Noble Son having represented to us his having recently come to an arrangement relative to the 2 Articles of the Treaty with England, we have ordered that what has been executed by our Son touching this transaction, in conformity with the Firmaun of Full Powers granted to him by us, be confirmed by our Royal Ratification and Consent; and we duly appreciate the exertions of your Excellency during the last year, which have obtained you the good will of the Shah.

Regarding the crore of tomauns required for the redemption of Khoee, agreeably to what has been laid before us, His Royal Highness Abbas Meerza has directed the payment of 400,000 tomauns by Mahommed Meerza; and we have besides instructed the remaining 100,000 tomauns to be delivered to Meerza Abul Hassan Khan, Minister for Foreign Affairs, for the purpose of being transmitted to you.

Your Excellency will therefore, conceiving this Firmaun as your security, become responsible for the payment of the above sum, which will be afterwards paid to you by the Lord of exalted rank, Meerza Abul Hassan Khan. Also make known to us all your wishes.

Sealed by HIS MAJESTY FUTTEH ALI SHAH.

[The transfer of the British Mission at the Court of Persia from the East India Company to the Foreign Office was accomplished in November, 1835.]

(No. 7.) *TREATY of Commerce between Great Britain and Persia.—Signed at Tehran, 28th October*, 1841.*

[No date was fixed for the termination of this Treaty; but see also Treaty of 4th March, 1857, Art. IX, page 19.]

[Signed in the English and Persian Languages.]

TABLE OF CONTENTS.

Art.
Preamble. Reference to Treaty of 25th November, 1814.
I. Privileges of Merchants. Import and Export Duties, Most-favoured-nation Treatment. No other Claim to be made on Merchants (Taxes, &c.). Aid, Support, and Respect to Subjects and Merchants, Most-favoured-nation Treatment.
II. Residence of British Commercial Agents at Tehran and Consul-General at Tabreez. Residence of British Resident at Bushire. Residence of Persian Commercial Agents at London and Bombay.

PREAMBLE.

WHEREAS by the benign favour of the One Almighty God, whose bounties are infinite, from the day on which the Treaty of Friendship and Attachment was concluded between the glorious States of Great Britain and Persia, the renowned and just Sovereigns of the 2 everlasting States have, day by day, and at all times, attended to and observed the whole of its Articles and Stipulations, and have caused the subjects of both Governments to enjoy all its benefits and advantages except the Treaty of Commerce, which, in the Preamble of the Treaty of the year 1814,† the 2 Governments engaged to conclude, and which, up to this time, for certain reasons has been postponed and left unfinished: therefore, in this fortunate year, that all the stipulations of the auspicious Treaty may be fulfilled, Her Majesty the Queen of Great Britain and Ireland, &c., &c., &c., has appointed Sir John McNeill, Knight Grand Cross of the Most Honourable Order of the Bath, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to the Court of Persia, to be her sole Plenipotentiary; and His Majesty the Shah of Persia, &c., &c., &c., has appointed His Excellency Hajee Meerza Abul Hassan Khan, His Majesty's Secretary of State for Foreign Affairs, to be his sole Plenipotentiary: and the said Plenipotentiaries having concluded a Commercial Treaty in these 2 Articles, have annexed and united it to the original Treaty, that, by the aid of God, it may henceforth be observed between the 2 Governments, and be a source of advantage to the subjects of both.

Privileges of Merchants.

ART. I. The merchants of the 2 mighty States are reciprocally permitted and allowed to carry into each other's territories their goods and manufactures of every description, and to sell or exchange them in any part of their respective countries:

* From "State Papers," Vol. 29, page 1110.
† See Treaty, 25th November, 1814, page 6.

Import and Export Duties. Most-Favoured-Nation Treatment.

And on the goods which they import or export, customs duties shall be levied, that is to say, on entering the country the same amount of customs duties shall be levied, once for all, that is levied on merchandize imported by the merchants of the most favoured European nations; and at the time of going out of the country, the same amount of customs duties which is levied on the merchandize of merchants of the most favoured European nations shall be levied from the merchants, subjects of the High Contracting Parties:

No other Claim to be made on Merchants. (Taxes, &c.).

And except this, no claim shall be made upon the merchants of the 2 States in each other's dominions on any pretext or under any denomination:

Aid, Support, and Respect to Subjects and Merchants. Most-Favoured-Nation Treatment.

And the merchants or persons connected with or dependent upon the High Contracting Parties in each other's dominions, mutually, shall receive the same aid and support, and the same respect which are received by the subjects of the most favoured nations.

*Residence of British Commercial Agents at Teheran, and Consul-General at Tabreez.**

ART. II. As it is necessary, for the purpose of attending to the affairs of the merchants of the 2 Parties respectively, that from both Governments Commercial Agents should be appointed to reside in stated places; it is therefore arranged that 2 Commercial Agents on the part of the British Government shall reside, one in the capital and one in Tabreez, and in those places only, and on this condition, that he who shall reside at Tabreez, and he alone, shall be honoured with the privileges of Consul-General:

Residence of British Resident at Bushire.

And as for a series of years a Resident of the British Government has resided at Bushire,† the Persian Government grants permission that the said Resident shall reside there as heretofore:

* "Although, by Treaty, Bushire, Tabreez, and Teheran are the only places in Persia where British Consular Agents can reside, the British Mission has for many years entertained Agents in Shiraz, Ispahan, and other cities of Persia, to assist British subjects in their affairs, and to transmit to the Mission intelligence of passing events, although these Agents have not the privileges of Consuls." Mr. Murray to the Sadi Azim, 8th November, 1855, "State Papers," Vol. 47, page 101. There is now a British Consul-General for the Province of Fars and the Coasts and Islands of the Persian Gulf, another for the Provinces of Khorassan and Seistan to reside at Meshed, and another at Tabreez, as well as a Consul at Resht, and Vice-Consuls at Tehran and Bushire. See "Foreign Office List," 1891.

† See Agreement of 12th April, 1763, and Royal Grant of 2nd July, 1763, next page.

Residence of Persian Commercial Agents at London and Bombay.

And, in like manner, 2 Commercial Agents shall reside on the part of the Persian Government, one in the capital, London, and one in the port of Bombay, and shall enjoy the same rank and privileges which the Commercial Agents of the British Government shall enjoy in Persia.

This Commercial Treaty, We, the Plenipotentiaries of the High Contracting Parties, have agreed to; and in witness thereof, have set thereunto our hands and seals, at the capital city of Tehran, this 28th day of October, in the year of our Lord 1841, corresponding to the 12th day of the month Ramazan, in the year of the Hejjera 1257.

(L.S.) JOHN McNEILL.

(L.S.) MEERZA ABUL HASSAN KHAN.

Agreement made with Shaik Sadoon of Bushire, 12th April, 1763.*

TABLE OF CONTENTS.

Art.
I. No Import or Export Duties to be Levied; 3 per cent. only to be charged on Goods Bought from or Sold to the English.
II. Woollen Goods to be Imported and Sold to English only.
III. No other European Nation whatever is to be permitted to Settle at Bushire so long as the English continue a Factory there.
IV. British Protection to Brokers, Linguists, Servants, &c.
V. Payment of Debts due to the English.
VI. The English to have such a spot of ground as they may pitch upon for erecting a Factory, and proper conveniences for carrying on their commerce to be built at the Shaik's expense. They are to hoist their colours upon it, and have twenty-one guns for saluting.
VII. A proper spot of Ground to be allotted the English for a Garden and another for a Burying Ground.
VIII. Religion.
IX. Surrender of Naval, Military, and other Deserters.
X. Goods Bought or Sold, otherwise than through English Factory.
XI. Wrecks.
XII. Goods not to be Purchased from English Vessels in the Roads.

(2.) *Royal Grant from Karem Khan, King of Persia, conferring various Privileges on the English, and granting Permission to them to establish a Factory at Bushire, and to Trade in the Persian Gulf. Schyrash, 2nd July, 1763.*†

TABLE OF CONTENTS.

Art.
1. "The English Company may have as much ground, and in any part of Bushire, they choose to build a factory on, or at any other port in the Gulf. They may have as many cannon mounted on it as they choose, but not to be larger than 6 pounds bore; and they may build factory-houses in any part of the kingdom they choose."

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* From "Aitchison's Treaties," Vol. 6, page 371.

† From "Hertslet's Commercial Treaties," Vol. 8, page 613.

Art.
2. No Customs' Dues to be Levied on Goods Imported or Exported at Bushire or elsewhere.
3. No other European nation to Import Woollen Goods.
4. Payment of Debts due to English Merchants and others.
5. Right of English to Buy and Sell Goods.
6. Prohibition against Clandestine Trade.
7. Wrecks.
8. Religious Liberty.
9. Surrender of Deserters.
10. Exemption of Brokers, Servants, and others belonging to Factories from Payment of Taxes or Imposts.
11. "Wherever the English are, they shall have a spot of ground allotted them for a Burying Ground; and if they want a spot for a Garden, if the King's property, it shall be given them gratis; if belonging to any private person, they must pay a reasonable price for it."
12. "The House that formerly belonged to the English Company at Schyrash, I now re-deliver to them, with the garden and water thereto belonging."

(ANNEX.) *Articles desired by the Khan. Schyrash, 2nd July,* 1763.

1. Purchase of Goods by the English from the Persian Merchants.
2. Mussulmans not to be Ill-treated.
3. Sale of Goods to principal Merchants.
4. Execution of Treaty by Persian Officials.

(No. 8.) *AGREEMENT between Great Britain and Persia authorizing the Detention and Search of Persian Merchant Vessels by British and East India Company's Cruizers, with a view to the Suppression of the Slave Trade.—August,* 1851.*

(Translation.)

THE Persian Government agrees that the ships of war of the British Government and of the East India Company shall, in order to prevent the chance of negro slaves, male and female, being imported, be permitted, for the period of 11 years, to search Persian merchant-vessels, in the manner detailed in this document, with the exception of Persian Government-vessels, not being vessels the property of merchants or the property of Persian subjects; with those Government-vessels there is to be no interference whatsoever. The Persian Government agrees that in no manner whatever shall any negro slaves be imported in the vessels of the Persian Government.

The Agreement is this:—

I. That in giving this permission to search mercantile vessels and those of subjects, the search shall from the first to the last be effected with the co-operation, intervention, and knowledge of Persian officers who are to be on board vessels of the English Government.

II. The merchant-vessels shall not be detained longer than is necessary to effect the search for slaves. If slaves should be found in any of those vessels, the British authorities are to take possession of them and carry them away, without detaining or causing them (that is, the people of the ship importing slaves)

* Renewed by Art. XIII of Treaty of 4th March, 1857; but cancelled by Art. IV of Convention of 2nd March, 1882, page 42.

any other damage besides that of depriving them of the slaves. The vessel itself (in which the slaves have been imported) shall, by the co-operation and knowledge of the officers of the Persian Government who are on board of the British cruizers, be delivered to the authorities of the Persian ports, who are there on the part of the Persian Government, and the authorities of this (the Persian) Government are to punish and fine in a manner suitable to the crime he has committed, the owner of that slaving-vessel who has acted in contravention of the commands of His Majesty the King of Persia, by importing slaves.

The British ships of war are not in any manner to interfere with the Persian trading-vessels, without the co-operation of the Persian Government officers; but the Persian Government officers also must not, on their part, be remiss in the duty committed to them.

This Convention is to be in force for the period of 11 years, and after these 11 years have expired and the stipulated period has elapsed, if the Persian vessels shall be interfered with for even a single day beyond the 11 years, it will be opposed to the course of friendship with the Persian Government and to the maintenance of her rights, and this Government will make a demand for satisfaction.

Passports for Pilgrims to Mecca or India.

III. If the slaves who have been heretofore in Persia, and are now there, should from the present date and henceforward wish to proceed by sea on a pilgrimage to Mecca or to India, or travel by sea, they must, with the knowledge of the British Resident in Bushire, procure a passport from the officer at the head of the Persian passport office in Bushire, and no exceptions shall thereafter be taken to any slave holding a passport. The passport (regulation) obtained with the knowledge of the British Resident at Bushire, is, like the other stipulations written above, to be for a period of 11 years.

This Agreement of [the right of] search, and the appointment of the Persian Government officers (to be on board the British cruizers), will first come in force on the 1st of Rebbee-ool-evvel, 1268 = January 1, 1852.

From the date of this document to the above date, there is no right of search.

The Articles written in this document have from first to last been agreed to by both parties, and confirmed by the Ministers of both Governments, and nothing is to be done in contravention thereof.

Written in the month of Shevval, 1267 (August, 1851).

JUSTIN SHEIL, *Her Britannic Majesty's Minister Plenipotentiary and Envoy Extraordinary at the Court of Persia.*

MEERZA TEKKEE KHAN, *Ameer-i-Nizam of the Persian Government.*

This Agreement was confirmed by Article XIII of the Treaty of Peace of 4th March, 1857, Page 20, but was cancelled by Article IV of the Slave Trade Convention of 2nd March, 1882, Page 42.

(No. 9.) ENGAGEMENT *contracted by the Persian Government towards the British Government regarding Herat, 25th January,* 1853.*

(Translation.)

THE Persian Government engages not to send troops on any account to the territory of Herat, excepting when troops from without attack that place; that is to say, troops from the direction of Cabul, or from Candahar, or from other foreign territory; and in case of troops being dispatched under such circumstances, the Persian Government binds itself that they shall not enter the city of Herat, and that immediately on the retreat of the foreign troops to their own country, the Persian force shall forthwith return to the Persian soil, without delay.

The Persian Government also engages to abstain from all interference whatsoever in the internal affairs of Herat, likewise in (regard to) occupation, or taking possession, or assuming the sovereignty or government, except that the same amount of interference which took place between the two in the time of the late Zuheer-ud-Dowleh, Yar Mahomed Khan, is to exist as formerly. The Persian Government, therefore, engages to address a letter to Syed Mahomed Khan, acquainting him with these conditions, and to forward it to him (by a person), accompanied by some one belonging to the English Mission, who may be in Meshed.

The Persian Government also engages to relinquish all claim or pretension to the coinage of money, and to the "khootbeh," or to any other mark whatever of subjection or of allegiance on the part of the people of Herat to Persia. But if, as in the time of the late Kamran, and in that of the late Yar Mahomed Khan, they should, of their own accord, send an offering in money, and strike it in the Shah's name, Persia will receive it without making any objection. This condition will also be immediately communicated to Syed Mahomed Khan. They also engage to recall Abbass Koolee Khan, Peeseean, after four months from the date of his arrival, so that he may not reside there permanently; and hereafter no permanent agent will be placed in Herat, but intercourse will be maintained as in the time of Yar Mahomed Khan. Neither will they maintain a permanent agent on the part of Herat in Tehran. There will be the same relations and privileges

* From "State Papers." Vol. 45, page 727. See also Treaty, 4th March, 1857, Arts. V, VI, pages 17, 18.

which existed in Kamran's time, and in that of the late Yar Mahomed Khan. For instance, if at any time it should be necessary, for the punishment of the Toorkomans, or in case of disturbance or rebellion in the Shah's dominions, that the Persian Government should receive assistance from the Herateeş, similar to that afforded by the late Yar Mahomed Khan, they may, as formerly, render assistance of their own accord and free will, but not of a permanent nature.

The Persian Government further engages, unconditionally and without exception, to release and set free all the chiefs of Herat who are in Meshed, or in Tehran, or in any other part of Persia, and not to receive any offenders, prisoners, or suspected persons whatsoever, from Syed Mahomed Khan, with the exception of such persons as, having been banished by Syed Mahomed Khan from Herat, may come here and themselves desire to remain, or to enter the service. These will be treated with kindness and favour as formerly. Distinct orders will be issued immediately to the Prince Governor of Khorassan to carry out these engagements.

The above six engagements on the part of the Persian Government, are to be observed, and to have effect; and the Persian Ministers, notwithstanding the rights which they possess in Herat, solely out of friendship and to satisfy the English Government, have entered into these engagements with the English Government, so long as there is no interference whatever on its part in the internal affairs of Herat and its dependencies; otherwise these engagements will be null and void, and as if they never had existed or been written. And if any foreign (State), either Affghan or other, should desire to interfere with, or encroach upon the territory of Herat, or its dependencies, and the Persian Ministers should make the request, the British Government are not to be remiss in restraining them, and in giving their friendly advice, so that Herat may remain in its own state of independence.

(Seal and autograph of the Sedr Azim.)

15, Rebbel-oo-Sanee, 1269 (25th January, 1853).

(Translation made by Mr. R. Thomson, April, 1857.)

[For the Correspondence which passed between the British and Russian Governments on this subject in 1853, see "State Papers," Vol. 45, page 725.]

(No. 10.) *TREATY of Peace between Great Britain and Persia. —Signed at Paris, 4th March, 1857.**

[Ratifications exchanged at Bagdad, 2nd May, 1857.]

TABLE OF CONTENTS.

Art.

I. Peace and Friendship.

II. Evacuation of Persian Territory.

III. Release of Prisoners of War.

IV. Amnesty.

V. Withdrawal of Persian Troops from Herat and Affghanistan, &c.

VI. Relinquishment of Persian claims to sovereignty over Herat and Affghanistan; Coinage, Tribute, &c. Non-interference of Persia in Affairs of Affghanistan; Recognition by Persia of Independence of Herat and Affghanistan. Friendly offices of British Government in differences between Persia and countries of Herat and Affghanistan. British influence to be used to prevent differences between Affghanistan and Persia.

VII. Course to be pursued in event of violation of Persian Territory by Affghans.

VIII. Mutual Release of Persian and Affghan Prisoners, &c.

IX. Appointment of Consular Officers, Most-favoured-nation Treatment. Subjects and Trade. Most-favoured-nation Treatment.

X. Persian Apology for Insulting Letter to British Minister. Reception of British Minister at Tehran.

XI. Claims of British Subjects against Persian Government. Claims of Persian and other Subjects under British Protection against Persian Government.

XII. Conditional renunciation by British Government of Protection to Persian Subjects not employed in British Mission or in British Consulate. Most-favoured-nation Treatment.

XIII. Slave Trade in Persian Gulf. Renewal of Agreement of August, 1851.

XIV. Cessation of Hostilities. Withdrawal of British Troops from Persian Territory. Supplies.

Separate Note referred to in Article X. Ceremonial to be observed on re-establishment of Diplomatic and Friendly Relations. Annex to Ditto. The Shah to the Sadr Azim, December, 1855.

In the name of God the Almighty, the All-Merciful.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty, whose standard is the Sun, the Sacred, the August, the Great Monarch, the absolute King of Kings of all the States of Persia, being both equally and sincerely animated by a desire to put a stop to the evils of a war which is contrary to their friendly wishes and dispositions,† and to re-establish on a solid basis the relations of amity which had so long existed between the two exalted States, by means of a Peace calculated for their mutual advantage and benefit, have appointed as their Plenipotentiaries, for carrying into effect this desired object, the following, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry Richard

* Signed in the English and Persian languages. See "State Papers," Vol. 47, page 42.

† For the Proclamation of War against Persia, issued from Calcutta on the 1st November, 1856, see "Hertslet's Treaties," Vol. 11, pages 882, 883.

Charles Baron Cowley, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, &c.;

And His Majesty the Shah of Persia, His Excellency the Abode of Greatness, the Favourite of the King, Ferokh Khan, Ameen Oolmoolk, the Great Ambassador of the Mighty State of Persia, &c.;

Who, having exhibited and exchanged their full powers, and found them in due form, have agreed upon and concluded the following Articles:—

Peace and Friendship.

ART. I. From the day of the exchange of the ratifications of the present Treaty, there shall be perpetual peace and friendship between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, on the one part, and His Majesty the Shah of Persia, on the other, as likewise between their respective successors, dominions, and subjects.

Evacuation of Persian Territory.

ART. II. Peace being happily concluded between Their said Majesties, it is hereby agreed that the forces of Her Majesty the Queen shall evacuate the Persian Territory, subject to conditions and stipulations hereafter specified.

Release of Prisoners of War.

ART. III. The High Contracting Parties stipulate that all prisoners taken during the war by either belligerent shall be immediately liberated.

Amnesty.

ART. IV. His Majesty the Shah of Persia engages, immediately on the exchange of the ratifications of this Treaty, to publish a full and complete amnesty, absolving all Persian subjects who may have in any way been compromised by their intercourse with the British forces during the war, from any responsibility for their conduct in that respect, so that no persons, of whatever degree, shall be exposed to vexation, persecution, or punishment, on that account.

Withdrawal of Persian Troops from Herat and Affghanistan, &c.

ART. V. His Majesty the Shah of Persia engages further to take immediate measures for withdrawing from the territory and city of Herat, and from every other part of Affghanistan, the Persian troops and authorities now stationed therein; such withdrawal to be effected within three months from the date of the exchange of the ratifications of this Treaty.

Relinquishment of Persian Claims to Sovereignty over Herat and Affghanistan; Coinage, Tribute, &c.

ART. VI. His Majesty the Shah of Persia agrees to relinquish all claims to sovereignty over the territory and city of Herat and the countries of Affghanistan, and never to demand from the Chiefs of Herat, or of the countries of Affghanistan, any marks of obedience, such as the coinage, or "khotbeh," or tribute.

Non-interference of Persia in Affairs of Affghanistan. Recognition by Persia of Independence of Herat and Affghanistan.

His Majesty further engages to abstain hereafter from all interference with the internal affairs of Affghanistan. His Majesty promises to recognize the independence of Herat, and of the whole of Affghanistan, and never to attempt to interfere with the independence of those States.

Friendly Offices of British Government in differences between Persia and Countries of Herat and Affghanistan.

In case of differences arising between the Government of Persia and the countries of Herat and Affghanistan, the Persian Government engages to refer them for adjustment to the friendly offices of the British Government, and not to take up arms unless those friendly offices fail of effect.

British Influence to be used to prevent Differences between Affghanistan and Persia.

The British Government, on their part, engage at all times to exert their influence with the States of Affghanistan, to prevent any cause of umbrage being given by them, or by any of them, to the Persian Government; and the British Government, when appealed to by the Persian Government, in the event of difficulties arising, will use their best endeavours to compose such differences in a manner just and honourable to Persia.

Course to be pursued in event of Violation of Persian Territory by Affghans.

ART. VII. In case of any violation of the Persian frontier by any of the States referred to above, the Persian Government shall have the right, if due satisfaction is not given, to undertake military operations for the repression and punishment of the aggressors; but it is distinctly understood and agreed to, that any military force of the Shah which may cross the frontier for the above-mentioned purpose, shall retire within its own territory as soon as its object is accomplished, and that the exercise of the above-mentioned right is not to be made

a pretext for the permanent occupation by Persia, or for the annexation to the Persian dominions, of any town or portion of the said States.

Mutual Release of Persian and Affghan Prisoners, &c.

ART. VIII. The Persian Government engages to set at liberty without ransom, immediately after the exchange of the ratifications of this Treaty, all prisoners taken during the operations of the Persian troops in Affghanistan, and all Affghans who may be detained either as hostages or as captives on political grounds in any part of the Persian dominions shall, in like manner, be set free; provided that the Affghans, on their part, set at liberty, without ransom, the Persian prisoners and captives who are in the power of the Affghans.

Commissioners on the part of the two Contracting Powers shall, if necessary, be named to carry out the provisions of this Article.

Appointment of Consular Officers. Most-Favoured-Nation Treatment.

ART. IX. The High Contracting Parties engage that, in the establishment and recognition of Consuls-General, Consuls, Vice-Consuls, and Consular Agents, each shall be placed in the dominions of the other on the footing of the most favoured nation.

Subjects and Trade. Most-Favoured-Nation Treatment.

And that the treatment of their respective subjects, and their trade, shall also, in every respect, be placed on the footing of the treatment of the subjects and commerce of the most favoured nation.

Persian Apology for Insulting Letter to British Minister. Reception of British Minister at Tehran.

ART. X*. Immediately after the ratifications of this Treaty have been exchanged, the British Mission shall return to Tehran, when the Persian Government agrees to receive it with the apologies and ceremonies specified in the separate note signed this day by the Plenipotentiaries of the High Contracting Parties.

Claims of British Subjects against Persian Government.

ART. XI. The Persian Government engages, within three months after the return of the British Mission to Tehran, to appoint a Commissioner, who, in conjunction with a Commissioner to be appointed by the British Government, shall

* See Separate Note, page 21.

examine into and decide upon the pecuniary claims of all British subjects upon the Government of Persia, and shall pay such of those claims as may be pronounced just, either in one sum or by instalments, within a period not exceeding one year from the date of the award of the Commissioners.

Claims of Persian and other Subjects under British Protection against Persian Government.

And the same Commissioners shall examine into and decide upon the claims on the Persian Government, of all Persian subjects, or the subjects of other Powers, who, up to the period of the departure of the British Mission from Tehran, were under British protection, which they have not since renounced.

Conditional Renunciation by British Government of Protection to Persian Subjects not employed by British Mission or in British Consulates. Most-Favoured-Nation Treatment.

ART. XII. Saving the provisions in the latter part of the preceding Article, the British Government will renounce the right of protecting hereafter any Persian subject not actually in the employment of the British Mission, or of British Consuls-General, Consuls, Vice-Consuls, or Consular Agents, provided that no such right is accorded to, or exercised by, any other foreign Powers; but in this, as in all other respects, the British Government requires, and the Persian Government engages, that the same privileges and immunities shall in Persia be conferred upon, and shall be enjoyed by the British Government, its servants and its subjects, and that the same respect and consideration shall be shown for them, and shall be enjoyed by them, as are conferred upon and enjoyed by, and shown to, the most favoured foreign Government, its servants and its subjects.

Slave Trade in Persian Gulf. Renewal of Agreement of August, 1851.

ART. XIII.* The High Contracting Parties hereby renew the agreement entered into by them in the month of August, 1851 (Shawal 1267), for the suppression of the Slave Trade in the Persian Gulf, and engage further that the said agreement shall continue in force after the date at which it expires, that is, after the month of August, 1862, for the further space of ten years, and for so long afterwards as neither of the High Contracting Parties shall, by a formal declaration, annul it; such declaration not to take effect until one year after it is made.

Cessation of Hostilities. Withdrawal of British Troops from Persian Territory. Supplies.

ART. XIV. Immediately on the exchange of the ratifications

* Cancelled by Article IV of Convention of 2nd March, 1882, page 42.

of this Treaty, the British troops will desist from all acts of hostility against Persia; and the British Government engages, further, that, as soon as the stipulations in regard to the evacuation, by the Persian troops, of Herat and the Affghan territories, as well as in regard to the reception of the British Mission at Tehran, shall have been carried into full effect, the British troops shall, without delay, be withdrawn from all ports, places, and islands belonging to Persia; but the British Government engages that, during this interval, nothing shall be designedly done by the Commander of the British troops to weaken the allegiance of the Persian subjects towards the Shah, which allegiance it is, on the contrary, their earnest desire to confirm; and, further, the British Government engages that, as far as possible, the subjects of Persia shall be secured against inconvenience from the presence of the British troops, and that all supplies which may be required for the use of those troops, and which the Persian Government engages to direct its authorities to assist them in procuring, shall be paid for, at the fair market value, by the British Commissariat, immediately on delivery.

XV. The present Treaty shall be ratified, and the ratifications exchanged at Bagdad in the space of three months, or sooner if possible.*

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Paris, in quadruplicate, this 4th day of the month of March, in the year of Our Lord, 1857.

COWLEY.
FEROKH (*in Persian*).

Separate Note referred to in Article X of the foregoing Treaty.

Ceremonial to be observed on Re-establishment of Diplomatic and Friendly Relations.

THE Undersigned, Her Britannic Majesty's Ambassador Extraordinary and Plenipotentiary to the Emperor of the French, and His Persian Majesty's Ambassador Extraordinary and Plenipotentiary to His said Imperial Majesty, being duly authorized by their respective Governments, hereby agree that the following ceremonial shall take place for the re-establishment of diplomatic and friendly relations between the Courts of Great Britain and Persia. This agreement to have the same force and value as if inserted in the Treaty of Peace concluded this day between the Undersigned:

The Sadr Azim shall write, in the Shah's name, a letter to Mr. Murray, expressing his regret at having uttered and given currency to the offensive imputations upon the honour of Her Majesty's Minister, requesting to withdraw his own letter of the 19th of November, and the two letters of the Minister for Foreign Affairs of the 26th of November, one of which contains

* Ratifications exchanged at Bagdad, 2nd May, 1857.

a rescript from the Shah, respecting the imputation upon Mr. Murray, and declaring, in the same letter, that no such further rescript from the Shah as that inclosed herewith in copy was communicated, directly or indirectly, to any of the foreign Missions at Tehran.

A copy of this letter shall be communicated, officially, by the Sadr Azim to each of the foreign Missions at Tehran, and the substance of it shall be made public in that capital.

The original letter shall be conveyed to Mr. Murray, at Bagdad, by the hands of some high Persian officer, and shall be accompanied by an invitation to Mr. Murray, in the Shah's name, to return with the Mission to Tehran, on His Majesty's assurance that he will be received with all the honours and consideration due to the Representative of the British Government; another person of suitable rank being sent to conduct him, as Mehmandar, on his journey through Persia.

Mr. Murray, on approaching the capital, shall be received by persons of high rank deputed to escort him to his residence in the town. Immediately on his arrival there, the Sadr Azim shall go in state to the British Mission, and renew friendly relations with Mr. Murray, leaving the Secretary of State for Foreign Affairs to accompany him to the Royal Palace, the Sadr Azim receiving Mr. Murray, and conducting him to the presence of the Shah.

The Sadr Azim shall visit the Mission at noon on the following day, which visit Mr. Murray will return, at latest, on the following day, before noon.

Done at Paris, this 4th day of the month of March, in the year 1857.

COWLEY.
FEROKH (*in Persian*).

ANNEX.—*The Shah to the Sadr Azim.**

(Translation.) *December*, 1855.

LAST night we read the paper written by the English Minister Plenipotentiary, and were much surprised at the rude, unmeaning, disgusting, and insolent tone and purport. The letter which he before wrote was also impertinent. We have also heard that, in his own house, he is constantly speaking disrespectfully of us and of you, but we never believed; now, however, he has introduced it in an official letter. We are, therefore, convinced that this man, Mr. Murray, is stupid, ignorant, and insane, who has the audacity and impudence to insult even kings! From the time of Shah Sultan Hossein (when Persia was in its most disorganized state, and during the last 14 years of his life, when by serious illness he was incapacitated for business) up to the present time, no disrespect

* For further correspondence which passed on this subject see "State Papers," Vol. 47, page 94.

towards the Sovereign has been tolerated, either from the Government or its Agent. What has happened now, that this foolish Minister Plenipotentiary acts with such temerity? It appears that our friendly Missions are not acquainted with the wording of that document; give it now to Meerza Abbas and Meerza Malcum, that they may take and duly explain it to the French Minister and Hyder Effendi, that they may see how improperly he has written. Since last night till now our time has been passed in vexation. We now command you, in order that you may yourself know, and also acquaint the Missions, that until the Queen of England herself makes us a suitable apology for the insolence of her Envoy, we will never receive back this her foolish Minister, who is a simpleton, nor accept from her Government any other Minister.

(No. 11.) *ENGAGEMENT entered into by the Persian Government towards the British Government for the construction of a Line of Telegraph from Khanakeen to Bushire, viâ Tehran.*—17*th December*, 1862.*

TABLE of CONTENTS.

Art.
I. Construction of Line of Telegraph from Khanakeen to Bushire *viâ* Tehran. Right of English Government to use the Line.
II. Sum to be assigned by Persian Government for Construction of the Line.
III. Materials to be purchased from English Government.
IV. Line to be placed under an English Engineer Officer, to be paid by the English Government.
V. Persian Authorities to supply Materials required by English Officer. Persian Officer to accompany English Officer everywhere.
VI. Materials required to be purchased in England, and to be paid for by Persian Government by five yearly instalments.

Acceptance of above Engagement by Persian Government.
Acceptance of the same by British Government.

Construction of Line of Telegraph from Khanakeen to Bushire, viâ Teheran.

ART. I. The Persian Government considers it necessary to construct a line of telegraph, without delay, from Khanakeen to the capital, Teheran, and from Teheran to the port of Bushire.

Right of English Government to use the Line.

And they agree that, whenever the English Government may require to communicate by the said telegraph, they are to be at liberty to do so through the Persian Telegraph officers,

* From "Aitchison's Treaties," Vol. 6, page 418; but see Convention of 2nd April, 1868, page 30, and 2nd December, 1872, page 32, and Agreements of 3rd July, 1887, pages 43, 44.

in the way they may desire, paying for the same at rates to be specified hereafter.

Sum to be assigned by Persian Government for Construction of the Line.

ART. II. The Persian Government will assign a sum sufficient for the construction of this telegraph, and for the purchase of such materials as are not procurable in Persia, or can be better obtained in Europe.

Materials to be Purchased from English Government.

ART. III. The Persian Government engages to purchase from the English Government all the materials which are better procurable in Europe, and the English Government agrees to supply such materials at moderate prices.

Line to be placed under an English Engineer Officer, to be paid by the English Government.

ART. IV. In order that the said line of telegraph may be well constructed and officially worked, the Persian Government agrees to place it under the superintendence of an English engineer officer, who is to be paid by the English Government, and they further agree to fix a period during which instruction may be given and the line may be brought into good working order; and His Royal Highness the Itizad-oo-Sultaneh, the Minister of Public Instruction, and His Excellency the Amin-ed-Dowleh will have cognizance of the aforesaid officer's proceedings.

Persian Authorities to supply Materials required by English Officer.

ART. V. The said officer will be fully empowered to call upon the Persian authorities to supply any materials he may consider requisite for this work, and the Persian authorities will make no alteration in his requisitions unless it should be impossible to obtain the thing required.

Persian Officer to accompany English Officer everywhere.

But a Persian officer will accompany him everywhere, so that he may be informed of what is done, and of the prices of the materials; and the accounts will be audited by the above-mentioned Prince and by the Amin-ed-Dowleh every three months, when a report will be drawn up and printed in the "Teheran Gazette."

Materials required to be purchased in England, and to be paid for by Persian Government by five yearly Instalments.

ART. VI. In order to increase the friendship between the two Governments, and to promote the above undertaking, the English Government engages to purchase in England, at

reasonables rates, with the approval of the Persian Minister Plenipotentiary, the materials required for this work, and to convey them to the Persian frontier, and to receive from the Persian Government the price paid for the above articles by five instalments in five years after they are delivered on the frontier of Persia.

(In the handwriting of the Persian Minister for Foreign Affairs.)

Acceptance of above Engagement by Persian Government.

The Persian Government accepts this engagement. If the English Government desires it, the construction of the line of telegraph will be commenced in conformity with the above stipulation.

Acceptance of the same by British Government.

Approved and accepted by Her Majesty's Government on 6th February, 1863.

(No. 12.) *CONVENTION between Great Britain and Persia, relative to Telegraphic Communication between Europe and India.*—Signed at Tehran, 23rd November,* 1865.†

[Ratifications exchanged at Tehran, 1st May, 1866.]

TABLE OF CONTENTS.

Art.
I. Second Wire to be attached by Persia to Poles between Bushire and Khanikin.
II. Wire to be erected by English Engineers.
III. Wire, Instruments, &c., to be procured by British Government, but to be paid for by Persia.
IV. Engagement of English Telegraph Officer and Staff for Five Years.
V. Conditions under which English Officer shall exercise Control over second Wire.
Protection of Line between Hamadan and Bushire.
Insubordination or misconduct on part of Persian Signallers.
Non-receipt of Money by English Officer.
VI. Supply of Vacancies.
VII—X. Separate Telegraph Offices for each Wire.
XI. Indian Messages.
XII. Use of first Wire in case of Increase of Traffic.
XIII. Cost of other than Indian or Submarine Cable Messages.
XIV. Relative Values of Coin.
XV. Keeping of Accounts.

AS Her Majesty the Queen of the United Kingdom of Great

* From "State Papers," Vol. 55, page 26. This Convention was continued in force for three months from the 13th August, 1872, by an Agreement signed on the 19th June, 1872 (See "Aitchison's Treaties," Vol. 6, page 42); but see Further Conventions, 2nd April, 1868, page 30, and 2nd December, 1872, page 32, and Agreements of 3rd July, 1887, pages 43, 44.

† Signed also in the Persian language.

Britain and Ireland, and His Majesty the King of all the Kingdoms of Persia, are desirous of regulating the telegraphic communication between Europe and India, and of placing this work on a sure and friendly basis, they have resolved that a Convention for that purpose shall be concluded; wherefore their Majesties have named as their Plenipotentiaries:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, his Excellency Charles Alison, Esquire, Her Envoy Extraordinary and Minister Plenipotentiary at the Court of Persia.

And His Majesty the King of all the Kingdoms of Persia, his Excellency Mirza Saeed Khan, His Minister for Foreign Affairs.

And the aforesaid distinguished Representatives, after meeting in the capital of Tehran, and perusing and exchanging their letters of full power, and finding them in due order, have concluded the following Articles:

Second Wire to be attached by Persia to Poles between Bushire and Khanikin.

ART. I. In order to improve the telegraphic communication between Europe and India, the Persian Government agrees to attach another wire to the poles now standing from Bushire to Khanikin, and to bring it into working order as soon as possible. The wire to be used solely for international messages sent in European languages.

Wire to be erected by English Engineers.

ART. II. In order that the second wire may be attached in a complete and effective manner, the Persian Government also agrees that it shall be done under the direction and supervision of an English engineer officer and staff. And the Persian Government will use its best endeavours to collect the necessary materials, and lay down the wire with all expedition.

Wire, Instruments, &c., to be procured by British Government, but to be paid for by Persia.

ART. III. The British Government agrees to procure for the Persian Government, at a reasonable price, and with the cognizance of a Persian Commissioner, all the wire, insulators, Morse instruments, &c., that may be requisite for this work, inclusive of 200 iron posts for the marshy tract of Bushire, and to deliver them over to the Government Commissioners at any seaport or frontier town of Persia that may be suitable, receiving payment in 5 years in 5 instalments.

Engagement of English Telegraph Officer and Staff for 5 Years.

ART. IV. The Persian Government, moreover, agrees that an

English telegraph officer, with the necessary staff, not exceeding 50 in number, exclusive of families, shall be engaged from the opening of telegraphic communication through the new wire, for 5 years, in organizing the Persian line of telegraph, and giving instruction in telegraphy. And the British Government agrees that the English officer and his staff shall, at the expiration of the prescribed period, make over the said line to the Persian Government and cease connection with the Persian telegraph.

Conditions under which English Officer shall exercise Control over Second Wire.

ART. V. The conditions under which the English officer shall exercise control over the second wire, during the prescribed period, are stated in the following rules:

1. His Royal Highness the Itizad-es-Sultaneh, Minister of Science, or any other person who by the Shah's order may be appointed in his place, is to be considered the head and absolute chief of all the Persian Government telegraphs.

2. Any order which His Royal Highness, or such other person in his place, may issue concerning the protection of the line, its working, and the Persians employed on it, shall be given through and with the approval of the English telegraph officer.

Protection of Line between Hamadan and Bushire.

3. For the protection of the line, the whole distance from the Turkish frontier to Bushire shall be divided from station to station into 6 sections as follows:

From the Turkish frontier to Hamadan.
From Hamadan to Tehran.
From Tehran to Kashan.
From Kashan to Ispahan.
From Ispahan to Shiraz.
From Shiraz to Bushire.

To each of these divisions the Itizad-es-Sultaneh shall appoint a Persian officer, who will be responsible to His Royal Highness for the protection of the line situated within his limits.

To enable the said Persian officer or Yaver of each division to carry out his duties efficiently, a certain number of horsemen shall be stationed under his orders along the line. The Yaver will of course accept any suggestions which the English telegraph officer may give with reference to his charge, due regard being had to the customs of Persia and her power of carrying out such suggestions.

4. The organization of offices and instruction of *employés* shall be exclusively in the charge of the English superintending officers, who will be responsible for the working of the line in these respects; and the Persian signallers shall

be ordered to obey implicitly the instructions which the English officers may give in the performance of their duties.

Insubordination or Misconduct on part of Persian Signallers.

5. In case of insubordination or misconduct on the part of the Persian signallers, His Royal Highness the Itizad-es-Sultaneh engages to use his best endeavours in lawfully supporting the authority of the English superintending officer, exercised under the last rule. On the other hand the English officer engages that the bounds of that authority shall in no way be exceeded.

Non-receipt of Money by English Officer.

6. The English officer shall have nothing whatever to do with receipts of money. A Mirza will be appointed at each station, who will be directly responsible for the accounts to the Itizad-es-Sultaneh.

Accounts of Telegrams Dispatched to be rendered by English Officer.

But the English superintending officer shall render to His Royal Highness, or any person who may be appointed by the Persian Government, such account of the telegrams dispatched under his authority as may be sufficient for full information.

These rules, however general in some sense, are understood to have special application to the second wire.

Supply of Vacancies.

ART. VI. In filling up vacancies which may occur among the signallers employed under Article IV, the English telegraph officer shall give the preference to natives of Persia, provided they be qualified in his estimation by knowledge of the English language, and other attainments necessary for this service, to perform the duties required.

Separate Telegraph Offices for each Wire.

ART. VII. As the telegraph offices of these two wires ought to be distinct, the Persian Government shall build a new office adjoining the existing one wherever there are not separate rooms.

ART. VIII. If any injury befall the second wire, or delay occur through press of traffic, the first wire, which is specially used for internal communication in Persia, shall give assistance to the second wire, and *vice versâ*.*

ART. IX. For every measure of 20 words or less from Khanikin to Bushire, or *vice versâ*, 1 toman 5 kirans and 8 shahis, in

* See also Convention, 2nd December, 1872, Art. III, page 34.

Persian money, or 14*s.* in English money, shall be charged, with proportionate rates for the intervening towns.

The Persian Government accepts the tariff laid down in the last Convention between Turkey and England,* so far as regards the rates of messages sent by the two Governments from Bushire to India, and from Khanikin to Constantinople or Europe.

ART. X. The yearly receipts will be credited to the Persian Treasury: but should they reach a higher sum than 30,000 tomans, the surplus will be made over to the officers of the English Government for the cost of their establishment.

Indian Messages.

ART. XI. All Indian messages, at whatever part of the line or from whatever place received, shall be given over to the second wire, and the accounts regularly kept.

Use of First Wire in case of Increase of Traffic.

ART. XII. Should the traffic so continuously increase as to demand more than in one day the fair day's work on the second wire, the excess of telegrams shall be handed over for dispatch to the first wire, the money received on them being separately credited to the Persian Government. The adjustment of this matter shall rest with the Itizad-es-Sultaneh and the English superintending officer. This Article is quite irrespective of the provision for mutual assistance in the event of a slight and temporary delay.

Cost of other than Indian or Submarine Cable Messages.

ART. XIII. The cost of all other than Indian or submarine cable messages shall be separately credited to the Persian Treasury, although conveyed by the second wire.

Relative values of Coin.

ART. XIV. The relative values of coin shall be calculated for purposes of account at the following rates:

1*l.* sterling=25 francs=22 kirans.

1*s.*=1 franc 25 centimes=1 kiran 2 shahis.

1*d.*=10 centimes=2 shahis.

As a rule, accounts shall be kept in English, and payments made in Tehran in Persian currency.

Keeping of Accounts.

ART. XV. The telegraph accounts shall be made up by the English superintending officer monthly and sent to Constantinople, where, by comparison with the Cable and Turkish accounts, they will be checked by the British Commissioner appointed for that purpose. On the return to Tehran of the

* See Treaty, 3rd September, 1864, "Hertslet's Treaties," Vol. 12, page 842.

audited accounts from Constantinople, the amount due to the Persian Government will be certified by the English officer, and speedily paid every 6 months, as stated in the last Article. The above account shall always be open to the inspection of the telegraph agent of the Persian Government at Constantinople, or any person recognised by the Persian Minister at the Ottoman Court, for the settlement of accounts of international traffic on the Persian-Turkish lines.

ART. XVI. The telegraphic regulations drawn up at Paris on the 13th [11th] of April, A.D. 1865,* shall be carried out under the superintendence of the Persian Government, so far as they are not opposed to the terms of the present Convention or the institutions of Persia.

ART. XVII. Any disagreement arising between the telegraphic *employés* of the two Governments shall be referred to their Excellencies the Persian Minister for Foreign Affairs and the British Minister at Tehran, in order that, after necessary investigation, a just decision may be pronounced.

ART. XVIII. This Convention shall take effect from the opening of correspondence on the second wire, and remain in force for five years from the day that a telegram is first dispatched thereby. At the expiration of the five years it shall be null and void.† If at any time within the term appointed the capabilities of Persian telegraphers for their work shall be proved to the satisfaction of the chief of the Persian telegraphs and the English telegraph officer, the full period shall be curtailed and the line made over altogether to the Persian Government.

ART. XIX. The present Convention shall be ratified, and the ratifications exchanged at Tehran within five months, or sooner if practicable.

Done at Tehran, on the 23rd day of November, A.D. 1865.

(L.S.) C. ALISON.
(L.S.) MEERZA SAEED KHAN.

(No. 13.) *CONVENTION between Great Britain and Persia, for extending and securing Telegraphic Communication between Europe and India.—Signed, in the English and Persian Languages, at Tehran, 2nd April,* 1868.‡

[Ratifications exchanged at Tehran, August 25, 1868.]

TABLE OF CONTENTS.

Art.
I. Persian Gulf Cable: Construction and working of Line of Telegraph between Guadur and a point between Jask and Bender Abbas.

* These Regulations were revised in 1868, in 1872, in 1875, in 1879, and in 1885. (See "State Papers.")

† This Convention was continued for three months from the 13th August, 1872, by an Agreement dated 19th June, 1872 (see "Aitchison's Treaties," Vol. 6, page 42); but see Further Convention of 2nd April, 1868, page 30.

‡ See Convention, 2nd December, 1872, page 32; and Agreement of 3rd July, 1887, page 43, prolonging this Convention until January 31, 1905.

II. Facilities to be afforded by Persian Government for its maintenance and protection. 3,000 tomans to be paid by English Government to Persian Government annually for leave to lay down Line on Persian Coasts and Places.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of all the Kingdoms of Persia, being desirous to extend* and secure the means of telegraphic communication between Europe and India, have resolved to conclude a Convention for that purpose, and have named as their Plenipotentiaries (that is to say):

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Charles Alison, Esquire, Her Envoy Extraordinary and Minister Plenipotentiary at the Court of Persia;

And His Majesty the King of all the Kingdoms of Persia, his Excellency Meerza Saeed Khan, his Minister for Foreign Affairs;

And the aforesaid distinguished Representatives, after meeting in the capital of Tehran, and perusing and exchanging their letters of full power, and finding them in due order, have concluded the following Articles:

Persian Gulf Cable. Construction and Working of Line of Telegraph between Guadur and a point between Jask and Bender Abbas.

ART. I. In order to provide against any possible accident to the Persian Gulf cable, it is agreed between the High Contracting Governments of England and Persia, that the British Government shall make arrangements with regard to the construction and efficient working of a line of telegraph between Guadur and a point between Jask and Bender Abbas.†

Facilities to be afforded by Persian Government for its Maintenance and Protection.

ART. II. The Persian Government will employ, as far as possible, their good offices and authority for facilitating its construction, maintenance, and protection.

Three Thousand Tomans to be paid by English Government to Persian Government annually for leave to lay down Line on Persian Coasts and Places.

And the English Government will pay annually to the Persian Government the sum of 3,000 tomans for leave to lay down the line of telegraph on those coasts and places which are under the sovereignty of Persia, the payment of the above sum being made from the day on which the work of laying the wires is commenced.

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* See Convention, 23rd November, 1865, page 25.

† The land line from Guadur to Jask was completed on the 15th August, 1869. See Colonel Sir F. J. Goldsmid's "Telegraph and Travel," 1874, page 372.

Duration of Convention.

ART. III. The present Convention shall remain in force for 20 years.

Ratifications.

ART. IV. The present Convention shall be ratified, and the ratifications exchanged at Tehran within five months, or sooner if practicable.

Done at Tehran on the 2nd day of April, Anno Domini 1868.

(L.S.) C. ALISON.
(L.S.) MEERZA SAEED KHAN.

(No. 14.) *CONVENTION between Great Britain and Persia, for continuing the System of Telegraphic Communication between Europe and India through Persia.—Signed, in the English and Persian Languages, at Tehran, 2nd December,* 1872.*

[Ratifications exchanged at Tehran, March 31, 1873.]

TABLE OF CONTENTS.

Art.
I. English Government to erect a Third Wire between Tehran and Bushire, and to substitute Iron Standards for Wooden Poles. Persian Government to pay in 10 annual instalments the sum of 10,000 tomans. Assistance to be afforded by Persian Government.
II. Telegraph Employés to be under Special Protection of Persian Local Authorities.
III. Continued use of first and second Wires for Local and International Messages.
IV. How the three Wires are to be appropriated. First Wire to be used for Local Traffic, and second and third Wires for International Traffic.
V. First Wire to be worked by Persian Employés, and second and third Wires by British Employés in separate rooms.
VI. As to Working of Wires in case of Breakage or Contact.
VII. Revenue derived from Local Traffic on Persian Wire to belong to Persia. Meaning of Local Traffic.
VIII. Transit Traffic between Julfa and Bushire: all Claims to Revenue renounced by Persian Government for the Annual Payment of 12,000 tomans or of two francs per 20 words. Revenue from Transit Traffic between Julfa and Bushire to be divided between English Government and Indo-European Company. International Messages originating or terminating in Persia, payments to be made by British to Persian Government. British Government to decide which are Terminal or which Transit Messages. Persian Government to oppose at International Telegraph Conference any Alteration in Transit or Terminal Rates.
IX. British Administration responsible for correctness of International Messages and Adjustment of Accounts, and to Collect Payments for Messages. Registration and Sealing by Persian Government of International Messages originating in Persia. International Messages terminating in Persia to be delivered by Persian Officials; Receipts to be given to British Administration. Access of Persian Administration to English Offices and Records. Meaning of International Messages.

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* From "State Papers," Vol. 62, page 262. See also Agreement of 3rd July, 1887, page 43, prolonging this Convention until January 31, 1905.

Art.
X. Maintenance, &c., of Line, and Appointment and Payment of Guards to remain in the hands of English Director and Staff. Persia to contribute 1,000 tomans annually.
XI. Duties of Inspectors and Line Guards. Punishment of Offenders for Wilful Damage to Line. Complaints, &c., by English Officers to be attended to by Governors of Districts.
XII. Persian Government to Pay for any Wilful Damage to Line.
XIII. Testing the Lines; Persian Officials to obey orders of English Director.
XIV. Debt due by Persian Government to English Government on account of Erection of first and second wires, how to be paid. Reservation in favour of Indo-European Telegraph Company. Punctual Payment of Instalments by Indo-European Telegraph Company. Liabilities of Indo-European Telegraph Company towards Persia.
XV. Articles required by English Staff to be admitted into Persia Free of Duty.
XVI. Application of Convention to Tehran-Bushire and Tehran-Khanekeen Lines.
XVII. Settlement of Disagreements.
XVIII. Duration of Convention until 1st January, 1895, when the whole Line is to be handed over to Persian Government.
XIX. Right of British Government to hand over the Line at an earlier date.
XX. Ratifications.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of all the Kingdoms of Persia, being desirous to continue the system of telegraphic communication between Europe and India, through Persia, already established in virtue of previous Treaties,* have resolved that a Convention for that purpose shall be concluded, wherefore Their Majesties have named as their Plenipotentiaries:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Ronald Ferguson Thomson, Esquire, her Chargé d'Affaires at the Court of Persia;

And His Majesty the King of all the Kingdoms of Persia, His Excellency Meerza Saeed Khan, his Minister for Foreign Affairs, &c.;

And the aforesaid distinguished Representatives, after meeting in the capital of Tehran, and perusing and exchanging their full powers, which were found in good and due form, have agreed upon and concluded the following Articles:

English Government to erect a Third Wire between Tehran and Bushire, and to substitute Iron Standards for Wooden Poles.

ART. I. To expedite and facilitate the transmission of international messages, the English Government will, at its own expense, and under the superintendence of its own officers, erect a third wire, in addition to the two already in operation between Tehran and Bushire, and will also substitute iron standards for the existing wooden poles. The English Government agrees to substitute the above iron standards at the rate of 500 annually.

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* See Treaties of 23rd November, 1865, and 2nd April, 1868, pages 25 and 30.

Persian Government to pay in ten Annual Instalments the sum of 10,000 tomans.

And the Persian Government engages to pay in 10 annual instalments the sum of 10,000 tomans to the English Government towards defraying the expenditure incurred on these iron posts.

Assistance to be afforded by Persian Government.

During this work, the Persian Government engages itself to render to the superintending officers every assistance in its power of which they may stand in need.

Telegraph Employés to be under Special Protection of Persian Local Authorities.

ART. II. Whereas all British subjects in Persia are entitled to the protection of the Persian Government, under the operation of Article XII of the Treaty of Paris, of 4th March, 1857,* it is now provided that the British employés of the Telegraph Department, being charged with public duties, shall be everywhere placed under the special protection of the local authorities, who shall furnish guards when necessary, and otherwise assure their personal safety.

Continued use of First and Second Wires for Local and International Messages.

ART. III. Until the completion of the third wire provided for by the above Article I, the appropriation of the existing first and second wires for local and international messages shall remain as at present, viz., as regulated by Article VIII of the Convention of the 23rd November, 1865.†

How the Three Wires are to be Appropriated.

ART. IV. After the completion of the third wire, notice of which will be given to the Persian Government by the Director of the English Staff, the appropriation of the three wires shall be as follows:—

First Wire to be used for Local Traffic and Second and Third Wires for International Traffic.

The first wire, viz., the one set up originally in 1864, shall be used for local traffic, while the second and third wires shall be used for international traffic, with the exceptions hereinafter specified in Article VI.

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* Page 20. † Page 23.

First Wire to be worked by Persian Employés and Second and Third Wires by British Employés in Separate Rooms.

ART. V. To prevent any confusion in the working of the different wires, the first wire shall be worked by Persian Government employés, and the second and third wires by English Government employés, separate rooms being provided by the Persian Government for the said English and Persian employés, in telegraph offices considered suitable by both Administrations.

As to Working of Wires in case of Breakage or Contact.

ART. VI. (*a.*) Should the first wire be broken at any time, one of the others shall be temporarily lent for Persian correspondence, until communication by the first wire is restored, provided always that both the second and third wires are at the time in good working order throughout their length, and free from contact.

(*b.*) Should the first wire be in contact with either the second or third wire while the remaining wire is clear, the wire in contact with the first wire shall be insulated, to allow free working by the Persian employés on the first wire until the contact is removed.

(*c.*) Should the first wire be in contact with the second or third while the remaining one is interrupted, or should both second and third wires be interrupted, or should all three wires at any time be in contact, the resultant single line shall be used by the English and Persian Administrations in the respective proportions of two-thirds to one-third of the day, the exact hours to be fixed by mutual agreement between the English and Persian Directors.

Revenue derived from Local Traffic on Persian Wire to belong to Persia.

ART. VII. The revenue derived from the local traffic on the Persian wire shall belong entirely to the Persian Government.

Meaning of Local Traffic.

By local traffic are meant messages originating at one Persian station and terminating at another Persian station.

Transit Traffic between Julfa and Bushire: all Claims to Revenue renounced by Persian Government for the Annual Payment of 12,000 *tomans, or of* 2 *francs per* 20 *words.*

ART. VIII. The Persian Government having already made an arrangement with the Indo-European Telegraph Company*

* See Concession made by Persian Government to Messrs. Siemens and Co., 11th January, 1868, and Agreement between Persian Government and Indo-European Telegraph Company, 24th May, 1869. "Aitchison's Treaties," Vol. 6, pages 25, 29.

regarding the revenue derived from the Indo-European traffic, the English Government will abide by that agreement as far as they are concerned; that is to say, the Persian Government, in consideration of a fixed annual payment by the said Company of either 12,000 tomans, or of 2 francs per message of 20 words, renounces all claims to any portion of the revenue from transit traffic over the line from Julfa (on the Russian frontier) to Bushire.

Revenue from Transit Traffic between Julfa and Bushire to be divided between English Government and Indo-European Company.

This revenue shall therefore be divided between the English Government and the Indo-European Company in such manner as they themselves may decide, and the accounts between them shall be settled without the intervention of the Persian Government.

International Messages Originating or Terminating in Persia. Payments to be made by British to Persian Government.

As regards international messages originating or terminating in Persia, the Persian Government agrees to cede to the English Government for a term of three years the entire Persian terminal tax on such messages, in consideration of a fixed annual payment of 2,000 tomans, to be paid to Persia by the English Government.

After the three years, the Persian Government shall be free either to accept an annual payment calculated on the basis of two-thirds of the average terminal receipts, or to claim two-thirds of the receipts of all *bonâ fide* terminal messages.

British Government to decide which are Terminal or which Transit Messages.

The Persian Government agrees to leave it to the sense of justice of the English Government to decide which are *bonâ fide* terminal messages, and which are to be considered as transit messages, being forwarded to Persia evidently for the purpose of being retransmitted to other countries.

Persian Government to oppose at International Telegraph Conferences any alteration in Transit or Terminal Rates.

During the time this Treaty remains in force, the Persian Government engages itself to oppose at the International Telegraph Conferences any alteration in the present transit and terminal rates, unless a previous agreement with the English Government shall have been made.

British Administration responsible for Correctness of International Messages and Adjustment of Accounts, and to collect Payments for Messages.

ART. IX. The English Administration being responsible for the correct transmission of all international messages, and for the adjustment of the accounts, will collect the payments for these messages according to the rates of the prevailing International Telegraph Convention.

Registration and Sealing by Persian Government of International Messages originating in Persia.

All international messages originating in Persia shall, before transmission, be registered and sealed by officials appointed by the Persian Government.

International Messages terminating in Persia to be delivered by Persian Officials. Receipts to be given to British Administration.

International messages terminating in Persia shall be delivered to the addresses through the agency of the same officials, who shall be bound to give receipts for such messages to the English Administration.

Access of Persian Administration to English Offices and Records.

The Persian Administration shall at all times have free access to the English offices, and to all records connected with international traffic.

Meaning of International Messages.

International messages are those which pass over the wires of more than one State.

Maintenance, &c., of Line, and appointment and payment of Guards to remain in hands of English Director and Staff.

ART. X. The maintenance of the line, including repairs, and the appointment, control, and payment of the line guards, shall remain in the hands of the English director and staff.

Persia to contribute 1,000 *tomans annually.*

As a contribution towards the expenditure under this head, the Persian Government will pay to the English director the sum of 1,000 tomans annually, this amount being deducted from the royalty due to Persia by the Indo-European Telegraph Company, as hereinbefore described in Article VIII.

Duties of Inspectors and Line Guards.

ART. XI. The duties of the telegraph inspectors and line guards are strictly confined to repairing and maintaining the line.

Punishment of Offenders for wilful damage to Line.

If the line be wilfully damaged, the Persian Government will take the most stringent measures to oblige the local authorities to apprehend and punish the offenders.

Complaints, &c., by English Officers to be attended to by Governors of Districts.

The Governors of districts will be accordingly instructed to pay prompt attention to all complaints and communications made to them by the English officers.

Persian Government to pay for any wilful damage to Line.

ART. XII. In case of any wilful damage to the line, the expense of repairing the same shall be defrayed by the Persian Government.

Testing the Lines. Persian Officials to obey orders of English Director.

ART. XIII. To enable the English director to have a perfect knowledge of the state of the wires and offices, and thereby to provide for their general efficiency and the rapid removal of any impediment to telegraphic communication, the orders and regulations issued by him regarding the connections within the offices, and the times and manner of testing the lines, shall be strictly obeyed by the Persian telegraph officers and signallers.

Debt due by Persian Government to English Government on account of erection of First and Second Wires. How to be paid.

ART. XIV. It having been ascertained that the debt owed by the Persian Government to the English Government on account of materials and erection of the second wire, together with some items connected with the erection of the first wire, and the payment of line guards, amounted on the 31st December, 1869, to 115,079 tomans 8 krans, or 47,247*l.* sterling, the English Government agrees to accept payment without interest, in the course of 24 years, in 24 equal instalments, of the same from the Indo-European Telegraph Company.

Reservation in favour of Indo-European Telegraph Company.

Should the aforesaid Indo-European Telegraph Company wish to pay the amount in question sooner, it is at liberty to do so.

Punctual payment of Instalments by Indo-European Telegraph Company.

The English Government shall notify without delay to the Persian Government any instance of failure on the part of the Indo-European Telegraph Company in paying the periodical instalments, and will then hold the Persian Government responsible for any portion of the debt remaining unpaid.

Liabilities of Indo-European Telegraph Company towards Persia.

Nothing in this Article is to be considered to invalidate any claim on the Indo-European Telegraph Company, which the Persian Government holds in virtue of the concessions granted to the said Company.

Articles required by English Staff to be admitted into Persia free of Duty.

ART. XV. All articles required by the English staff from abroad for the service of the line shall be exempt from Customs or other duties in Persia.

Application of Convention to Tehran-Bushire and Tehran-Khanekeen Lines.

ART. XVI. This Convention applies specially to the Tehran-Bushire section, but shall apply equally to the Tehran-Khanekeen section, should the English director at any time deem it expedient to resume charge of that portion of the Persian telegraph.

In such a case the tariff of the Tehran-Khanekeen section, and the method of account, shall be settled by a special arrangement between the English and Persian Administrations.

Settlement of Disagreements.

ART. XVII. Any disagreement arising between the telegraph employés of the two Governments shall be referred for decision to the Persian Minister for Foreign Affairs and the British Representative at Tehran.

Duration of Convention until 1st January, 1895, when the whole Line is to be handed over to Persian Government.

ART. XVIII. This Convention shall take effect from the day on which its ratifications are exchanged, and shall remain in force

until the 1st of January, 1895,* on which date the English staff shall make over the whole line, in whatever condition it may be at the time, including iron posts and third wire, to the Persian Government, and shall then cease to have any further connection with the Persian telegraph.

Right of British Government to hand over the Line at an earlier date.

ART. XIX. After the erection of the third wire, it shall be competent for the English Government, at any time before the expiry of this Convention, on giving six months' notice, to hand over the line in its existing condition to the Persian Government, and to withdraw its officers and employés from the country, ceasing from that date to have any further connection with the Persian telegraph.

Ratifications.

ART. XX. The ratifications of the present Convention shall be exchanged at Tehran within five months, or sooner if practicable.

Done at Tehran, in quadruplicate, this 2nd day of the month of December, in the year of Our Lord, 1872.

(L.S.) RONALD F. THOMSON.
(L.S.) MEERZA SAEED KHAN.

(No. 15.). *CONVENTION between Great Britain and Persia, for the Suppression of the Traffic in Slaves.—Signed in the English and Persian languages, at Tehran, 2nd March,* 1882.†

[Ratifications exchanged at Tehran, 14th June, 1882.]

TABLE OF CONTENTS.

Art.
I. Permission to British Cruizers to visit and detain Persian Merchant-vessels. Persons provided with Government passports not to be molested under certain circumstances.
II. British Officer to be present at adjudication of Captured Vessels. Disposal of Condemned Vessels and Slaves found on board.
III. Persians engaging in Slave Traffic by sea to be severely punished. Slaves imported to be manumitted and protected.
IV. Agreement of August, 1851, cancelled.

In the Name of God, the Almighty, all Merciful.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the

* Prolonged until the 31st January, 1905, by an Agreement dated 3rd July, 1887, page 44.

† From "State Papers," Vol. 73, page 31. This Convention was carried into effect by an Order in Council dated 18th August, 1882, page 42.

Shah of Persia, being mutually animated by a sincere desire to co-operate for the extinction of the barbarous Traffic in Slaves, have resolved to conclude a Convention for the purpose of attaining this object, and have named as their Plenipotentiaries, that is to say :—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Ronald Ferguson Thomson, Esquire, Her Envoy Extraordinary and Minister Plenipotentiary at the Court of Persia;

And His Majesty the Shah of Persia, his Excellency Mirza Saeed Khan, his Minister for Foreign Affairs;

Who, after having communicated to each other their full powers, found in good and due form, have agreed upon and concluded the following Articles :—

Permission to British Cruizers to visit and detain Persian Merchant-vessels.

ART. I. In order to prevent the chance of negro slaves, male and female, being imported into Persia, British cruizers shall be permitted to visit and detain merchant-vessels under the Persian flag, or belonging to Persian subjects, which may be engaged in, or which there may be reasonable grounds for suspecting to be or to have been engaged during the voyage on which they are met, in carrying slaves; and if any such slaves are found on board such merchant-vessels, the vessel, with all on board, shall be taken before the nearest Persian authorities for trial.

Persons provided with Government Passports not to be molested under certain circumstances.

But no person whatsoever who, being furnished with a Government passport, countersigned by a British Resident or Consul, may have gone from Persia to visit the places of pilgrimage, shall, when returning, be interfered with, provided such person be not accompanied by more negroes, either male or female, than the number mentioned in his original pass. The presence of any such additional negro or negroes shall be *primâ facie* evidence of an attempted Traffic in Slaves.

British Officer to be present at adjudication of captured Vessels.

ART. II. If any merchant-vessel under the Persian flag be captured by a British cruizer and taken into a Persian port for adjudication, it shall be the officer of the British cruizer making the capture, or some duly authorized officer of the British Government, who shall be present at such adjudication.

Disposal of condemned Vessels and Slaves found on board.

In the event of the captured merchant-vessel being condemned and sold, the proceeds of such sale shall go to the

Persian Government, and all slaves found on board such vessel shall be handed over to the British authorities.

Persians engaging in Slave Traffic by Sea to be severely punished.

ART. III. His Majesty the Shah of Persia agrees to punish severely all Persian subjects or foreigners amenable to Persian jurisdiction who may be found engaging in Slave Traffic by sea.

Slaves imported to be manumitted and protected.

And to manumit and guarantee the safety and proper treatment of all slaves illegally imported, that is to say, imported by sea into His Majesty's dominions after the signature of the present Convention.

Agreement of August, 1851, cancelled.

ART. IV. The present Convention shall come into operation on the 1st May, 1882. After the Convention shall so have been brought into operation, Article XIII of the Treaty between Great Britain and Persia, signed at Paris on the 4th March, 1857 (Page 20), by which the Agreement entered into by Great Britain and Persia in August, 1851 (Page 12), was renewed, shall be considered as cancelled, except as to any proceeding that may have already been taken or commenced in virtue thereof.

ART. V. The ratifications of the present Convention shall be exchanged at Tehran within five months, or sooner if practicable.

Done at Tehran, in quadruplicate, this 2nd day of the month of March, in the year of Our Lord 1882.

(L.S.) RONALD F. THOMSON.
(L.S.) MIRZA SAEED KHAN.

ORDER IN COUNCIL, for carrying the above Convention of 2nd March, 1882, into effect. 18th August, 1882.

At the Court at Osborne House, Isle of Wight, the 18th day of August, 1882.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Act passed in the 37th year of Her Majesty's reign, chapter 88, intituled "The Slave Trade Act, 1873,"* it was, amongst other things, provided that "Where any Treaty

* "Hertslet's Treaties," Vol. 14, page 717.

in relation to the Slave Trade is made after the passing of that Act, by or on behalf of Her Majesty with any Foreign State, Her Majesty may, by Order in Council, direct that as from such date, not being earlier than the date of the Treaty, as may be specified in the Order, such Treaty shall be deemed" to be an existing Slave Trade Treaty within the meaning of the Act, and it was provided that "thereupon (as from the said date, or if no date is specified as from the date of such Order)" all the provisions of the Act shall apply and be construed accordingly.

And whereas on the 2nd day of March in the year 1882 a Treaty or Convention was concluded between Her Majesty and His Majesty the Shah of Persia for the suppression of the Slave Trade, in the following terms, that is to say:

[Here follows the Convention of 2nd March, 1882, see Page 40.]

And whereas it is expedient that the said Treaty or Convention should be brought within the operation of "The Slave Trade Act, 1873."

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf as aforesaid, is pleased by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows:—

The said Treaty or Convention hereinbefore recited shall, from the 1st day of May, 1882, being the day on which the said Treaty or Convention came into operation, be deemed to have been and to be an existing Slave Trade Treaty within the meaning of "The Slave Trade Act, 1873."

And the Lords Commissioners of Her Majesty's Treasury, the Right Hon. the Earl Granville, one of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty are to give the necessary directions herein as to them may respectively appertain.

C. L. PEEL.

(No. 16.) *AGREEMENTS between the British and Persian Governments for prolonging, until 31st January, 1905, the Conventions between Her Majesty and the Shah of Persia of 2nd April, 1868, and 2nd December, 1872, relative to Telegraphic Communication between Europe and India. Signed, in the English and Persian Languages, at Tehran, 3rd July, 1887.*

I. *Agreement between the British and Persian Governments to prolong, until 31st January, 1905, the Convention of 2nd April, 1868, respecting Telegraphic Communication between Europe and India. Signed at Tehran, 3rd July, 1887.*

(English Version.)

IT is hereby agreed between the Undersigned, duly au-

thorized thereto by their respective Governments, that the Convention signed at Tehran on the 2nd April, 1868,* for extending and securing telegraphic communication between Europe and India, shall remain in force until the 31st January, 1905.

Done at Tehran, this 3rd day of July, 1887.

(L.S.) A. NICOLSON, *Her Britannic Majesty's Chargé d'Affaires.*

(L.S.) *Persian Minister for Foreign Affairs.*

II. *Agreement between the British and Persian Governments to prolong, until* 31*st January*, 1905, *the Convention of* 2*nd December*, 1872, *respecting Telegraphic Communication between Europe and India through Persia.—Signed at Tehran,* 3*rd July*, 1887.

(English Version.)

IT is hereby agreed between the Undersigned, duly authorized thereto by their respective Governments, that the Convention signed at Tehran on the 2nd December, 1872,† for continuing the system of telegraphic communication between Europe and India through Persia, shall remain in force until the 31st January, 1905.

Done at Tehran, this 3rd day of July, 1887.

(L.S.) A. NICOLSON, *Her Britannic Majesty's Chargé d'Affaires.*

(L.S.) *Persian Minister for Foreign Affairs.*

[No Treaties were concluded between Great Britain and Persia in 1888, 1889, or 1890; but see Proclamation, Firmaun, &c., pages 56–58.]

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* Page 30. † Page 32.

PART II.

FIRMAUNS, &c.,

ISSUED BY THE SHAHS OF PERSIA, GRANTING COMMERCIAL AND OTHER PRIVILEGES TO GREAT BRITAIN AND OTHER POWERS, AS WELL AS TO NATIVES; AND FOR THE SUPPRESSION OF THE SLAVE TRADE. 1823–1890.

		Page
Abolition of Export Duty on Horses	July (August), 1823	47
British Trade with Persia	5th May, 1836	48
Protection of Servants and Dependants of British Mission	15th September, 1839	48
Ditto (Amended)	.. April, 1840	49
Bankruptcies. Protection of British Merchants ..	May (June), 1844	50
Prohibition against Importation of Negro Slaves by Sea ..	June, 1848	54
Protection of Lives and Properties of Persian Subjects	26th May, 1888	56
Opening of the Karun River	30th October, 1888	58
Notice. Prohibition against the Traffic in Slaves by Sea or Land	1st February, 1890	58

PART II.

FIRMAUNS

ISSUED BY THE SHAHS OF PERSIA, GRANTING COMMERCIAL AND OTHER PRIVILEGES TO GREAT BRITAIN AND OTHER POWERS, &c. 1823-1890.

*FIRMAUN of the Shah abolishing the Export Duty on Horses.—July (August), 1823.**

(Translation.)

THIS auspicious Firmaun is issued to inform our beloved and renowned son, Hossein Ali Mirza, the Governor-General of Fars, that the British Agent at the Court has represented to our Ministers that the officers of the customs of Fars and the ports have commenced to exact a duty on horses purchased in Persia by British subjects for exportation to their own country. According to his statement this regulation did not formerly exist; and in consideration of the friendship between the two States which has rendered their interests inseparable, it is our wish in every respect to cultivate the present alliance; therefore our beloved son is ordered to give instructions, both with regard to horses and other property and goods belonging to British subjects, that no duties shall in future be levied on them, excepting such as long-established usages authorize.

You are enjoined to pay the fullest attention to the purport of this Firmaun, and not only to prevent the subjects of the British Government from suffering any injustice or molestation, but to extend them every protection and indulgence.

(L.S.) HIS MAJESTY FUTTEH ALI SHAH.

Dated Zilkad, 1238, corresponding with July and August, 1823.

[In 1823 the relations between the British Government and Persia were transferred to the Governor-General of India, and an Envoy of the Governor-General was substituted for a Plenipotentiary of the Crown. (Aitchison's Treaties, Vol. 6, page 361.)]

* From "Aitchison's Treaties," Vol. 6, page 396.

*FIRMAUN of the Shah of Persia permitting British Merchants to Trade with Persia on payment of the same Duties as those paid by Russian Merchants.—Received 5th May, 1836.**

(L.S.) The Seal of MOHAMMED SHAH.

WHEREAS the relations of friendship and amity between the powerful and dignified Governments of Persia and England are fixed upon the most perfect and firm basis; and whereas it is agreeable to the exalted character of His Majesty, that this friendship and amity should daily increase, and that mutual advantage should thence result; therefore, in the present auspicious year, and henceforth, according to this gracious Proclamation, we grant liberty and permission to the merchants of the British Nation, that, having brought their merchandize to the territorial possessions of Persia, they may dispose of the same in perfect security and confidence, and that they shall pay to the officers of Government the same public dues upon their goods as are paid by the merchants of the Russian Government.

In the month of Moohurrim, in the year of the Hegira 1252 (A.D. 1836).

[Here follow the Seals of the witnesses.]

Received at the British Palace, Teheran, on the 5th of May, 1836.

A true Translation, H. ELLIS.

Extract from Article III, relative to Commerce, of the Treaty between Russia and Persia of $\frac{10\text{th}}{22\text{nd}}$ *February*, 1828.

[Referred to in Firmaun of 5th May, 1836.]

IL est convenu que les marchandises importées en Perse, ou exportées de ce Royaume par les sujets Russes, * * * seront soumises, comme par le passé, à un droit de 5 pour cent perçu une fois pour toutes, à leur entrée et à leur sortie, et ne seront assujetties ensuite au payement d'aucun autre droit de Douane.

FIRMAUN issued by the Shah for the Protection of the Servants and Dependants of the British Mission.—15th September, 1839.†

(Translation.)

ON account of the friendship subsisting between the two

* From "State Papers," Vol. 24, page 769. See also Treaty, 4th March, 1857, Article IX, page 19.

† From "State Papers," Vol. 28, page 125.

ever-enduring Governments of Persia and England, it is agreeable to our favour-dispensing Sublime Majesty, that the servants and dependants of the Ambassadors of the English Government resident at this Court, should live in all confidence and tranquillity, and should at all times be under the shadow of the protection and favour of our Sublime Majesty; therefore in this auspicious year of the Hog, this auspicious Firmaun has been written to this effect, that the servants and dependants of the English Government, whether Persians or natives of other countries, are safe and secure; and under all circumstances, in the same manner as the people of that Government are treated by other Governments, so under this Government also the same treatment will be shown.

Rejeb 5, 1255 (15th September, 1839).

(L.S.) THE SHAH.

[See amended Firmaun of April, 1840.]

AMENDED FIRMAUN *issued by the Shah of Persia, for the Protection of the Servants and Dependants of the British Mission.* —*April*, 1840.

(Translation.)

Let the Governors and authorities of all the country know, that referring to the unity existing between the two mighty Governments of Persia and England, the object of our Royal desire is, that the servants and dependants *of the Mission** of the mighty Government of England, who are stationary at the Court of this haughty Government, may, in all confidence and tranquillity of mind, remain under the shadow of the protection of our clemency and Sublime Majesty, and that never, in this God-protected land, in any possible manner, should they be exposed to loss or detriment of any kind in their lives or property.

Therefore this auspicious and happy Firmaun, which all the world obeys, is proclaimed and issued to give notice to the above-mentioned (Governors and authorities), that all the servants and dependants of the English Mission, whether these be Persians or natives of other countries, are, as in times past, in safety and under protection, and that they should rejoice in the kindness and consideration of the Ministers of this haughty State; and should any of these (servants and dependants of the English Government) be guilty of any crime, they *shall not be punished without the knowledge of the English Minister.**

Therefore these high personages (the Governors to whom this Firmaun is addressed), fully regarding the amity subsisting

* The words *of the Mission* do not occur in the Persian copy from which this was translated.

between the 2 great States, must act in conformity to this order; and after having paid obedience to this auspicious Firmaun, let its meaning reach the ears of all the people of the whole country, and let them know that it is imperative.

THE SHAH.

[For the correspondence which passed between the British and Persian Governments with regard to the issue of the Firmauns of 1839 and 1840, see "State Papers," Vol. 28, pages 123 to 147.]

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*FIRMAUN of the Shah of Persia relating to Bankruptcies, issued for the protection of British Merchants.—May (June), 1844.**

(Translation.)

THIS, that the high in rank (with other usual titles) Hossein Khan, Adjutant Bashee, Governor of the province of Yezd, honoured and exalted by the increasing favour of His Majesty, may know that the Ministers of the British Government having, from a high sense of justice, certified that, with reference to the property remaining with bankrupts and insolvents, to be proportionately distributed and divided among their creditors, the subjects of the exalted Persian and British Governments, the dependants of that Government (British), shall not on this head receive the slightest favour or distinction; and having at the present time requested, through the medium of their Chargé d'Affaires, His Excellency Colonel Sheil, that suitable regulations comprehended in certain Articles, not incompatible with the religion of Islam, should be passed for the protection of merchants, the dependants of the British Government, from all kinds of deceptions, frauds, and evil designs on the part of the insolvent and fraudulent bankrupt, and His Persian Majesty being earnestly desirous that foreign nations and merchants, the subjects of other States in the protected territories of the Shah in Shah, should be secured from every evil design of the insolvent and fraudulent bankrupt, accordingly these commercial regulations, which have been arranged between the Ministers of the Persian Government and His Excellency Colonel Sheil, the British Chargé d'Affaires, and have received the auspicious approval and approbation of His Majesty, are written and detailed for the information of that high in rank, &c. (Hossein Khan), in the body of this document.

ART. I. All deeds of purchase and sale, bonds, &c., shall henceforth be registered in the respectable (Dewan Khaneh) Courts of Equity in the special dufturs (records), which are

* From "Aitchison's Treaties," Vol. 6, page 399. See also "Hertslet's Treaties," Vol. 9, page 611.

returned by the Governor of each province, sealed with the Government Seal; in the said dufturs all claims should, according to their respective dates and numbers, be entered. The dates and numbers of the dufturs (entries) should also be inscribed on the face of the agreement. The pages of the dufturs should be numbered, and should contain no emendations or erasures.

ART. II. Agreements which have been rendered valid by registry in the large duftur should be again separately written in the Dewan Khaneh in alphabetical order, together with the names of the contracting parties, and a numerical list of the large dufturs be framed.

ART. III. Should there exist in one spot two bonds in the shape of claims for money, which have been duly registered in the Dewan Khaneh, that whose entry in the Dewan Khaneh shall bear the older date shall be first executed. This condition not to supersede those regulations relative to the proportional division of property which are to have effect at the period of bankruptcy.

ART. IV. The registry of agreements is not essential, but bonds which, according to regulation, have been rendered valid by registry in the Dewan Khaneh, shall especially be held of greater validity over external bonds (contracted independently), which shall not be executed until the execution of those bonds which have been duly registered in the Dewan Khaneh shall have taken place; such independently contracted bonds may be brought to and registered in the Dewan Khaneh during the space of one year.

ART. V.* Whoever shall (desire to) sell or place in pledge his immoveable property, shall give into the hands of the purchaser a deed of sale or (بنجاق) transfer; should he not pay the money at the time agreed upon, he shall cause it to be put up to sale, and the Dewan Khaneh, previous to registering and rendering valid such agreement of purchase of sale, shall ascertain that its deed of sale or transfer has been delivered into the hands of the purchaser, and that the said real estate has not been sold nor given in pledge or security to some other person.

ART. VI. The payment of the money of a bond shall not be (considered) proved until both creditor and debtor shall have attached their seals and signatures to the bond that the whole of the money has been received; otherwise, at the time of emergency, it will be necessary to establish the settlement of the debt by producing evidence and making affidavit.

ART. VII. On the death of a debtor, the creditors shall have the right of claiming their money from the heirs of the deceased previous to the maturity of the bond or promissory note, and the heirs to the property of the deceased shall satisfy those claims.

* See also Article XVIII, page 53.

ART. VIII. Every trader and merchant who shall appear insolvent shall make affidavit that he has not secreted any of his property, and shall establish (prove) his insolvency; so, also, his partners and agents shall take oath that they have not secreted any of his property.

ART. IX. Such bankrupt shall not be at liberty until he shall have afforded bail for his appearance, and the magistrate shall distrain the effects of the bankrupt, and those of his children and women; but in the event of its being proved that he has become owner of such property subsequent to his insolvency, whatever belonging to his relatives, and in which the bankrupt has no concern whatever, which has reached them as inheritance, or as the product of a separate trade or profession, or which has passed away to the husband as the dowries of the daughters, shall be free from distraint.

ART. X. If the bankruptcy has been caused by accidental fire or shipwreck, proven, or by robbery by enemies, then in that case bail shall not be required.

ART. XI. The punishment of the fraudulent bankrupt shall be the same as that (laid down) for the thief and liar, and the authority to mitigate punishment in certain exceptions shall rest with the King only. The fraudulent bankrupt shall be imprisoned during the period of investigation, and shall not (be permitted) to hold communication with any one, even his own governors. All his property shall be distrained, and he may not a second time engage in trade, nor be (a Mabashir Kar) an agent in business. Similar punishment shall be inflicted upon his accomplices and those persons who may have secreted his property.

ART. XII. Agreements entered into by an insolvent after his insolvency has appeared and been proven shall be null and void; and, in like manner, all deeds of gift drawn out after his insolvency shall be null and void.

ART. XIII. The division of the property of a bankrupt among his creditors shall take place after the lapse of four months. If the effects of the bankrupt are of a kind (liable) to be speedily injured or destroyed, such as cattle, articles of food, &c., they shall, without delay, be turned into money. Merchandize which, after the publication of his insolvency, may be sent to the bankrupt, shall be distrained in the Custom House and sent to the Dewan Khaneh, and, in like manner, letters of whatever kind to the address of the bankrupt, indicative of absence of the truth of his insolvency, shall be taken to the Dewan Khaneh.

ART. XIV. The bankrupt not having satisfied all claims against him shall still be considered a debtor. His creditors shall, of their own accord, allow him time on account of the remainder of their claims, and in the interim whatever he may obtain or become heir to shall be given up in payment of his debts.

ART. XV. Should there be any discrepancy between the

entry in the duftur and the bond itself, and the Dewan Khaneh have erroneously made the registry, it (the Dewan Khaneh) shall make good the debts of the insolvent.

ART. XVI. Those reckoned fraudulent bankrupts are of the following description:—1st, those who cannot establish their insolvency nor give a public account of the money and effects they have received from others; 2nd, those who, whether secretly or openly, convey merchandize to their homes; 3rd, those who, aware of their insolvency, shall, after the same having become apparent, make gifts with a view to securing to themselves (*lit.*, eating up) the property of their creditors; 4th, those who shall again sell or give in pledge immoveable property already sold to or in pledge with others; 5th, those who shall sell or give in pledge religious endowments (مال وقف).

ART. XVII. His Majesty the King has abolished all places of asylum in the homes of individuals, except in certain mosques and sanctified places, such as the houses of well known (Oolumas) priests and the King's palaces, which, from olden time, have been places of refuge; and has commanded that none of the subjects of this Government (the Persian) shall admit into their houses delinquents, such as thieves, bankrupts, and others. Whoever shall disobey these royal orders shall subject himself to punishment.

ART. XVIII. Since, for the transaction of mercantile affairs, a (Mullick-oot-Tijjar), or Chief of merchants, is in every place necessary, accordingly the Ministers of the Persian Government will appoint a Mullick-oot-Tijjar in every place in Persia where extended commerce is carried on; and moreover, when the business of British merchants shall be transacted in the Dewan Khaneh, it (the Dewan Khaneh) shall arrange and settle the same in the presence of a delegate from the Mission or Consulate; and so, in like manner, the distraint of the property of a bankrupt or of the effects of a deceased debtor, in cases connected with foreign subjects, shall be made in the presence of a delegate from the British Authorities. The British Agents shall demand (the amount of) the claims of (due to the) bankrupts from his debtors, being natives of the country, in the same manner as if the debtors were themselves subjects of the British Government.

Reverting to Article V, treating of immoveable property. In Persia there are three descriptions of persons holding villages: 1st, the King; 2nd, the landed proprietor (malik); 3rd, the inhabitants. Should the malik (desire to) place his village in pledge, he shall, in order to obviate discussion, first obtain the permission of the King's Government and of the inhabitants.

It is necessary that the high in rank before-mentioned should make known and publish the above-written details in the Dewan Khanehs of the province of Yezd according to these instructions, and strictly warn the authorities and executives of the Dewan Khanehs of the province alluded to, to act up to the

commands conveyed in this august document, nor in any way swerve from or disobey them. Let them consider the same their bounden duty.

Written in the month of Jemmadee-ool-Awul, in the year of the Hegira 1260. May (June), 1844.

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*FIRMAUN issued by the Shah to Hajee Meerza Aghassee prohibiting the Importation of Negro Slaves into Persia by Sea.—12th June, 1848.**

(Translation.)

12*th June*, 1848 (10 *Rejjeb*, 1264).

YOUR EXCELLENCY THE HAJEE,

LET them not bring any negroes by sea; let them be brought by land. Purely for the sake of Farrant Sahib [Lieutenant-Colonel Farrant], with whom I am much pleased, I have consented to this. On this subject write to the Governors of Fars and Arabia [Persian Arabia].

Solely on account of the goodness of Farrant I have consented, otherwise some trifling discussions still exist between us and the English Government.

H.E. Hajee Meerza Aghassee. THE SHAH.

FIRMAUN issued by the Shah to the Governor of Fars, prohibiting the Importation of Slaves into Persia by Sea.—12th June, 1848.†

(Translation.)

TO the high in rank, the pillar of nobility, Hoossein Khan, the Comptroller of State Affairs and Governor of Fars, who has been exalted and supported by the distinguished favours of His Majesty the Shah, &c., be it known, that it is a long time since a request for the abolition of the importation of negroes by sea has been made on the part of the Ministers of the British Government to the Ministers and authorities of this kingdom. But their request during this long period has not met with an answer or our consent.

But in consequence of the favour entertained by our august Sovereign towards the high in rank, the sincere well-wisher of the State, the chosen among Christian nobles, &c., Colonel Farrant, Chargé d'Affaires of the English Government, on account of the respectful conduct and manner of proceeding which he has made manifest, and purely for the regard we entertain

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* From "State Papers," Vol. 37, page 465.
† From "State Papers," Vol. 37, page 466.

for him, we have accepted and complied with his request. We have ordained that hereafter that high in rank shall warn all merchants and persons passing to and fro, to discontinue to bring negroes by sea alone, and that they shall not export or import negroes except by land, which is by no means forbidden.

That high in rank will be held responsible for the fulfilment of the orders contained in this communication.

Written in the month of Rejjeb, 1264. 12th June, 1848.

THE SHAH.

FIRMAUN issued by the Shah to the Governor of Ispahan and Persian Arabia, prohibiting the Importation of Slaves into Persia by Sea.—June, 1848.*

(Translation.)

To the high in rank, the superior of Generals, the esteemed of the Sovereign, Meerza Nebbee Khan, chief of the Civil Law Court, and Governor of Ispahan, who has been honoured by the favour of the pure mind of the King of Kings.

Be it known, that at this time the high in rank, the noble and exalted, possessed of dignity, the pillar of the Christian nobles, the cream of the great men of Christendom, the undoubted well-wisher of the State, Colonel Farrant, Chargé d'Affaires of the exalted Government of England, who enjoys the unbounded favour of His Majesty the Shah, whose resplendent mind is desirous to gratify him, having made a friendly request on the part of the Ministers of his exalted Government to the Ministers of His Majesty the Shah, that with a view to preserve the existing friendship between the two exalted States, a decree should be issued from the source of magnificence, the Shah, that hereafter the importation of the Negro tribes by sea should be forbidden, and this traffic be abolished.

In consequence of this, it is ordered and ordained that, that high in rank, after perusing this Firman, which is equal to a decree of fate, will feel it incumbent on him to issue positive and strict injunctions to the whole of the dealers in slaves who trade by sea, that henceforth by sea alone the importation and exportation of negroes into the Persian dominions is entirely forbidden, but not by land. Not a single individual will be permitted to bring negroes by sea without being subjected to severe punishment.

That high in rank must in this matter give peremptory orders throughout his government, and not be remiss.

Written in the month of Rejjeb, 1264. June, 1848.

THE SHAH.

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* From "State Papers," Vol. 37, page 467.

*ORDER prohibiting the trade in Black Slaves and Slave-Girls by Sea.—July, 1848.**

The Governor of Fars, to the Governor of Bushire.

(Translation.)

THIS high order has been issued, that the high in rank, Sheik Nasir Khan, Governor of the port of Bushire, may know that since, in conformity with His Majesty's imperative Firman, it has been determined and commanded in this prosperous year, Buch Eel, and thereafter, the merchants, subjects of this high and everlasting State, shall relinquish the trade in the black slaves and slave-girls, by sea and by the ports of Fars. Any merchant desiring to prosecute the traffic in black slave-girls and slaves, is free and at liberty to do so by land, from whatever quarter it may be; it is not forbidden; but by way of the sea, to embark them in vessels, they must entirely relinquish it, and not engage in this traffic. If after perusing this order any one of the merchants or others bring slaves and slave-girls by sea, he will render himself liable to punishment. That high in rank must advise and warn all the merchants and tradespeople residing at that port, that, in consideration of the concord between the two exalted States, the vessels of the British have been permitted by the Ministers of this conquering State to prevent the propagation of this trade by sea. Assuredly that high in rank will not in any way deviate from the course now laid down.

Sheik Nasir Khan. HOOSSEIN KHAN.

PROCLAMATION of the Shah of Persia respecting the Protection of the Lives and Properties of Persian Subjects.—Tehran, 26th May, 1888.†

Official Government Proclamation.

(Translation.)

THE Great and Most High God having made our holy person the source of justice and benevolence, and the executor of his command and power, and having especially entrusted the protection of the lives and property of the subjects of the united countries of Persia into our well-skilled hands, in thanksgiving for this great bounty, we consider it incumbent on us in the execution of this trust not to draw back from or evade the distribution of justice and the protection of the lives and property of the people of this country from the encroachment of oppressors, and (we consider it incumbent upon us) to so

* From "State Papers," Vol. 37, page 469.

† Laid before Parliament in "Persia, No. 2 (1888)."

properly endeavour and persevere that the people be masters of their lives and property, in order that they may, with the greatest ease and prosperity, engage themselves in enterprises which are the basis of civilization and the source of wealth; therefore, for the information and assurance of all the subjects and people, in order to make them acquainted with the watchfulness, tempered with justice, of our sovereign mind, by the issue of this great Proclamation and noble Address, we make it generally known to the people of the united countries of Persia, that all our subjects, as regards their lives and property, are free and independent, so that they may, without fear or apprehension, exercise any right of proprietorship they like over their own belongings, and any enterprise for which the combination of money and formation of companies for the construction of works and roads and any branch of the branches of civilization and wealth which they may undertake will give us satisfaction and pleasure, and the protection of such is our duty, and no one shall have the right or power to lay hands upon, or take possession of, or interfere with, the life or property, or punish or chastise the subjects of the Persian Government, except it be in execution of the religious and civil laws.

Month of Ramazan-ul-Mubareh, 1303 (May, 1888).

FIRMAUN of the Shah of Persia for the execution of the foregoing Proclamation.—May, 1888.

(Translation.)

(THE Firmans contain the same words as the Proclamation, with an additional injunction, of which the following, addressed to the Veliahd, or Heir Apparent, at Tabriz, is a specimen.)

It is commanded that the Dawn of the Soul's Light, the Key of the Gates of Victory, the Light of the Eyes of the Khilafet and Kingdom, Resplendence of the Face of Sovereignty and Empire, Dear and Most Noble Son, Light of the Eyes, Muzafer-ud-Din Mirza, Veliahd of the Everlasting Kingdom of Persia, Governor-General of the Province of Azerbaijan, will execute this world-respected Imperial Firman, and not allow it to be disregarded; and this very Firman is to be read in all Masjids and meeting-houses, and is to be generally explained and instilled into the people, and published to all small towns, districts, and even villages and settlements, so that all the subjects of Persia be informed of this Imperial command, and bonds are to be taken from the petty authorities, binding them to carry out these commands, and any one disregarding this order will be so punished and chastised as to be the wonder of the spectators. (May, 1888.)

PERSIAN CIRCULAR announcing the Opening of the Karun River, from Mohammerah to Ahwaz.—30th October, 1888.

(Translation.)

(Circular.)

THE Persian Government, with a view to the extension of commerce and wealth in her provinces and the progress of agriculture in Khuzistan and Ahwaz, has ordered that commercial steamers of all nations, without exception, besides sailing vessels which formerly navigated the Karun River, undertake the transport of merchandize in the Karun River from Mohammerah to the Dyke at Ahwaz; but it is on the condition that they do not pass the Dyke at Ahwaz upwards, as from the Dyke upwards the river navigation is reserved to the Persian Government itself and its subjects, and the tolls which the Persian Government will organize shall be paid at Mohammerah. Such vessels are not to carry goods prohibited by the Persian Government, and vessels are not to stay longer than necessary for the unloading and loading of commercial loads.

24 *Sefer* (1303) (30 *October*, 1888).

PERSIAN NOTICE, prohibiting the Traffic in Slaves by Sea or Land.—1st February, 1890.

ON the 1st February, 1890, H.E. the Saad-ul-Mulk, Governor of Bushire, held a "Mejlis" at the Government House at Lingah, to which he summoned all the principal persons and merchants of the place, and publicly read a notice, announcing that whoever engaged in the traffic in slaves, either by sea or land, would be severely punished and fined.

The Deputy-Governor was, at the same time, ordered to affix copies of this notice in all places, and to take a bond from the Customs farmer that he would bring to the notice of the authorities any case of importation of slaves by land or sea.

PART III.

TREATIES, &c.,

CONCLUDED BY PERSIA WITH FOREIGN POWERS, OTHER THAN WITH GREAT BRITAIN, WHICH WERE WHOLLY OR PARTIALLY IN FORCE ON THE 1ST APRIL, 1891.

LIST OF TREATIES, &c., concluded by Persia with Foreign Powers (other than with Great Britain),* and which were wholly or partially in force on the 1st April, 1891.

			Page
Afghanistan	Aug., 1872	British Award. Seistan Boundary	63
Austria-Hungary.	17th May, 1857 ...	Treaty. Commerce and Navigation	66
Belgium	31st July, 1857....	Friendship and Commerce	73
Denmark	30th Nov., 1857...	Friendship and Commerce	77
Egypt.....	1823. 1889.....	Special Commercial Arrangements.	80
France	12th July, 1855 ...	Friendship and Commerce	80
Germany.	6th, 11th June, 1873	Friendship and Commerce	84, 92
Greece.....	28th Oct., 1861 ...	Friendship, Commerce, and Navigation	94
Italy	24th Sept., 1862 ..	Friendship, Commerce, and Navigation	100
„	29th Sept., 1862 ..	Addl. Art. Silkworms' Eggs and Cocoons	104
Kelat	1st–4th Sept., 1871	Notes. Great Britain and Persia. (Beloochistan, &c.) Boundary ..	105
„	15th May, 1873 ..	Amended Notes (proposed) ditto	106
Netherlands	3rd July, 1857....	Friendship and Commerce	108
Oman (Muscat) ..	17th Nov., 1856 ..	Bender Abbas (terminated).....	112
Russia.....	12th Oct., 1813 ..	Peace and Friendship (Gulistan)..	115
„	22nd Feb., 1828 ..	Peace and Friendship (Tourkmantchai)	117
„	22nd Feb., 1828 ..	Commerce (Tourkmantchai)	125
„	22nd Feb., 1828 ..	Ceremonial. Reception of Diplomatic Agents (Tourkmantchai) .	130
„	3rd July, 1844....	Interpretation of Art. 14 of Treaty of 22nd February, 1828. Disorders on the Frontiers. Passports	133
„	13th Dec., 1869 ..	River Attrek to form Boundary on East Coast of the Caspian Sea ..	133
„	$\frac{12}{24}$th May, 1879 ..	Telegraphic (expired. But see Convention, $\frac{19th}{31st}$ Jan., 1881)	134
„	31st Jan., 1881 ..	Telegraphic.....	134
„	$\frac{9th}{21st}$ Dec., 1881	Akhal-Khorassan Boundary. East of Caspian Sea	136
Spain.....	4th Mar., 1842....	Friendship and Commerce	140
„	9th Feb., 1870....	Friendship and Commerce	144
Sweden and Norway	17th Nov., 1857 ..	Friendship and Commerce	146
Switzerland	23rd July, 1873 ...	Friendship and Commerce	149

* See page 1.

			Page
Turkey	1639	Friendship and Commerce. Note .	153
„	23rd Oct., 1727 ...	Peace	153
„	Jan., 1746.....	Peace	155
„	Jan., 1747.....	Peace	160
„	28th July, 1823 ...	Peace (Erzeroom).....	163
„	31st May, 1847....	Limits (Erzeroom)	169
„	28th Nov., 1863 ...	Telegraphic	173
„	3rd Aug., 1869....	Provisional Arrangement. Turco-Persian Frontiers	176
„	20th Dec., 1875....	Consular Jurisdiction. Civil and Commercial Suits. Trade Guilds. Protection. Nationality, &c. ..	179
„	4th Jan., 1876	Vizirial Letter explanatory of ditto	184
„	13th July, 1878 ...	Cession by Turkey to Persia of Town and Territory of Khotour	219
„	27th July, 1880 ...	Protocol, Great Britain and Russia ditto	216
United States....	13th Dec., 1856 ..	Friendship and Commerce	186

BRITISH AWARD on the Dispute between Persia and Afghanistan, with regard to the Seistan Boundary.—August, 1872.

[Accepted by Persia and Afghanistan, and confirmed by the British Government.]

THE following substance of General Goldsmid's arbitral Award is given in "Aitchison's Treaties," Vol. 6, page 343:—

"That Seistan Proper, by which is meant the tract of country which the Hamun on three of its sides and the Helmund on the fourth cause to resemble an island, should be included by a special boundary line within the limits of Persia; that Persia should not possess land on the right of the Helmund; that the fort of Nad Ali should be evacuated by Persian garrisons, and the banks of the Helmund above the Kohuk bund given up to Afghanistan; that the main bed of the Helmund below Kohuk should be the eastern boundary of Persian Seistan, and that the line of frontier to the hills south of the Seistan desert should be so drawn as to include within the Afghan limits all cultivation on both banks of the river from the bund upwards, the Malik Seah Koh on the chain of hills separating the Seistan from the Kirman desert appearing to be a fitting point; that north of Seistan the southern limit of the Naizar should be the frontier towards Lash Jowain; that Persia should not cross the Hamun in that direction, her possession being clearly defined by a line to be drawn from the Naizar to the Koh Seah hill near Bundan; finally, that no works were to be carried out on either side calculated to interfere with the requisite supply of water for irrigation on both banks of the Helmund."

The following account is also given in "Aitchison's Treaties" (Vol. 6, page 365) of the circumstances which led to the reference of the Seistan Boundary dispute to British arbitration, and which resulted in the above Award.

"The rival claims of Persia and Afghanistan to sovereignty over Seistan were for many years productive of disputes which more than once threatened a rupture of friendly relations between the two States. Seistan was in ancient times, and especially under the Suffavean dynasty, a dependency of Persia. On the death of Nadir Shah it became an integral portion of the Dooranee empire founded by Ahmed Shah Abdali. On the dismemberment of the Dooranee empire, Seistan became dependent at one time on Herat, when that province was isolated from the rest of Afghanistan, with intervals of independence more or less prolonged, and at a later one still on Herat and Candahar alternately. Although no interference was exercised by Persia in the internal administration of Seistan, the dissensions among the Barukzai family led to the diminution of Afghan influence, and after the death of Kohundil Khan in 1855, Ali

Khan Sarbandee, who had been installed by him some years previously as ruler of south-western Seistan, made overtures to Persia, in hope of enjoying a greater amount of independence under a power which from its distance would be less able to enforce obedience. Ali Khan was received with honour at Tehran, married a princess of the royal family, and returned to Seistan with an allowance of 4,000 tomans per annum; a sum of 3,000 tomans per annum was also bestowed on Ibrahim Khan of Sheikhnassoor, the principal Chief of northern Seistan, and the other Chiefs. In return for these subsidies the Chiefs undertook to prevent Belooch raiders from entering Persian territory. Towards the close of 1858 Ali Khan was assassinated by his nephew, Taj Mahomed, but the latter eventually expressed his willingness to continue his predecessor's engagements with Persia.

"The sovereignty of Persia over Seistan was, however, never recognized by the British Government, and an intimation to that effect was conveyed to the Persian Government when, in 1862, the Shah claimed the execution of the 7th Article of the Treaty of 1857 (Page 18), on the ground of the alleged intention of Dost Mahomed Khan to require the submission of Seistan. In 1863 Persia, again apprehensive of an invasion of Seistan by Dost Mahomed Khan, who was then engaged in his expedition against Herat, was anxious to obtain an assurance that the British Government would not permit any such invasion of Persian territory; but as the title to the territory of Seistan was disputed, Her Majesty's Government declined to interfere in the matter, and left it to both parties to make good their possession by force of arms.

"Towards the end of 1865, an armed advance was made into Seistan by Persia, with the alleged object of enabling Taj Mahomed to keep in check Belooch raiders who had committed depredations on Persian territory. In 1867 the dominion of Persia over the part of Seistan south-west of the Helmund was completed by the removal of Taj Mahomed, his brother, and uncle to Tehran. Thenceforward it was the aim of Persia to obtain possession of the territory of Ibrahim Khan of Sheikhnassoor north of the Helmund, and Meer Alum Khan, the Persian Governor of Kayen, succeeded in occupying the whole of Seistan proper, *i.e.*, the country lying between the Hamun on the north and west, and the Helmund, below the Kohuk dam, on the east. During the civil wars which, after the death of Dost Mahomed Khan, distracted Afghanistan, the progress of the Persians met with little opposition, but on the establishment of Ameer Sher Ali Khan's power the Afghans found themselves in a position to retaliate, and raids on both sides of the border became of constant occurrence.

"The Persian Government having expressed a wish for the good offices of the British Government in placing the relations of Persia with Afghanistan, with regard to Seistan, on a more satisfactory footing, Her Majesty's Minister at Tehran was,

under Article VI of the Treaty of 1857 (Page 18), instructed to offer British arbitration on the question of the sovereignty and boundaries of the whole of Seistan on both sides of the river Helmund, on the basis of ancient right and present possession. The Shah eventually agreed that Commissioners on the part of the British Government, Persia, and Afghanistan respectively, should meet in Seistan, where the two latter were to state and substantiate their claims—that if local enquiry should be necessary the Commissioners were to proceed to any point for that purpose and make a map of the districts—that when the British Commissioner considered that nothing further could be done on the spot, the Commissioners should proceed to Tehran, where the subject would be fully discussed with a view to its settlement, and the British Commissioner would state his arbitral opinion—that should either the Persian or Afghan Government not agree to this opinion, reference should be made to Her Majesty's Government, whose decision should be final and binding on both Governments. Accordingly, after some delay caused by the troubles in Afghanistan consequent on Mahomed Yakoob Khan's rebellion, the Commissioners met on the frontier in the early part of 1872, and the arbitral opinion of General Goldsmid, the British Commissioner, was delivered in the following August. An appeal was preferred by the Persian Government, but eventually the decision of General Goldsmid was accepted unconditionally by the Shah and confirmed by the British Government."

With reference to the north-west frontier of Afghanistan on the side of Persia, it may be mentioned that on the 10th September, 1885, a Protocol was signed between Great Britain and Russia, recording the Agreement which had been arrived at between them respecting the frontier of Afghanistan between the Heri-Rud and the Oxus. It was stated therein that the frontier should start from the Heri-Rud about two versts below the fort of Zulfikar; and that commissioners should be appointed to trace the frontier, commencing their labours at Zulfikar. (See Parliamentary Paper, "Central Asia, No. 4 (1885)," page 75.)

On the 22nd July, 1887, a Protocol was signed by the British and Russian Commissioners appointed to define this frontier, and in a paper annexed to that Protocol, giving a description of the frontier, it was stated that it began on the right bank of the Heri-Rud at a point marked on the map (which was attached to the Protocol) by a pillar about 8,500 feet distant from a small tower situated on a mound at the entrance of the Zulfikar Pass. (See Parliamentary Paper, "Central Asia, No. 1 (1887))."

TREATY *of Commerce and Navigation, between Austria-Hungary and Persia. Signed at Paris, 17th May,* 1857.*

[Ratifications exchanged at Paris, 13th November, 1857.]

TABLE OF CONTENTS.

Art.
I. Friendship.
II. Reception of Envoys and Diplomatic Agents.
III. Access to respective Countries. Treatment of respective Subjects.
IV. Treatment of Merchants and Travellers. Most-Favoured-Nation Treatment. Liberty to Import, Export, and Transport Merchandize. Hire of Houses, Warehouses, and Shops. Taxes. Possession of Lands, Houses, Shops, &c. Submission to Laws. Domiciliary Visits.
V. Customs Duties. Imports. Exports.
VI. Commercial Privileges to Austrian Subjects.
VII. Appointment of Consuls. Non-protection of Persian Subjects except those employed by Austrian Diplomatic Agents or Consuls. Austrian Consuls engaged in Trade.
VIII. Commercial Contracts and Engagements. Legalization of Commercial Documents. Treatment of Persians in Austria.
IX. Austrian Consular Jurisdiction in Disputes between Austrian Subjects. Austrian Consular Jurisdiction in Disputes between Austrians and subjects of other Powers. Austrian Consular Jurisdiction in Disputes between Austrian and Persian Subjects. Revision of Judgment. Trial of Disputes in Austria in which Persians are interested.
X. Failures and Bankruptcies, &c.
XI. Succession to Property of Deceased Subjects.
XII. Criminal Jurisdiction.
XIII. Proceeding in event of War with other Powers.
XIV. Ratification; Duration of Treaty.

Au nom de Dieu clément et miséricordieux!

SA Majesté l'Empereur d'Autriche, Roi de Hongrie et de Bohême, du Royaume Lombardo-Vénitien, de Dalmatie, Croatie, Esclavonie, Gallicie et Lodomérie, Illyrie, Roi de Jérusalem, Archiduc d'Autriche, &c.

Et Sa Majesté Auguste et très-Sacrée, dont le Soleil est l'étendard, le Grand Roi des Rois et le Souverain absolu de tous les Etats d'Iran,

L'un et l'autre également et sincèrement désireux d'établir des rapports d'amitié entre les deux Etats, ont voulu les consolider par un Traité d'Amitié, de Commerce et de Navigation réciproquement avantageux et utile aux sujets des deux Hautes Puissances Contractantes;

A cet effet ont nommé pour leurs Plénipotentiaires:

Sa Majesté l'Empereur d'Autriche, le Sieur Joseph Alexandre Baron de Hübner, Son Ambassadeur près Sa Majesté l'Empereur des Français;

Et Sa Majesté le Shahinshah de Perse, le très-illustre favori du Roi, Farrokh-Khan Amin-ol-Molk, Son Ambassadeur extraordinaire, &c.

Et les deux Plénipotentiaires s'étant réunis à Paris, ayant

* From "State Papers," Vol. 47, page 1159.

échangé leurs pleins pouvoirs et les ayant trouvés en bonne et due forme, sont convenus des Articles suivants:

Friendship.

ART. I. A dater de ce jour, il y aura amitié sincère et bonne intelligence entre les Etats et les sujets de la Haute Cour d'Autriche et les Etats et les sujets de la Haute Cour d'Iran.

Reception of Envoys and Diplomatic Agents.

ART. II. Les Envoyés ou Agents Diplomatiques qu'il plairait à chacune des deux Hautes Puissances Contractantes d'envoyer et d'entretenir auprès de l'autre, y seront reçus et traités, eux et tout le personnel de la Mission, comme sont reçus et traités par cet Etat les Envoyés ou Agents Diplomatiques des autres Puissances amies les plus favorisées, et ils y jouiront, de tous points, des mêmes honneurs, immunités et priviléges.

Access to respective Countries. Treatment of respective Subjects.

ART. III. Les sujets des deux Hautes Parties Contractantes pourront désormais parcourir en pleine liberté les territoires respectifs et les traverser pour se rendre dans les pays voisins, sans qu'ils en soient empêchés par les autorités locales qui, de leur côté, mettront la plus vive sollicitude à les préserver de tout désagrément, en veillant continuellement à leur sûreté personnelle, en les traitant avec tous les égards possibles, afin qu'ils n'éprouvent ni dommage ni entrave ou vexation quelconque dans leur voyage, et en les munissant à cet effet de sauf-conduits, firmans ou autres documents.

Treatment of Merchants and Travellers. Most-Favoured-Nation Treatment.

ART. IV. Les sujets des deux Hautes Cours qui, en leur qualité de marchands, commerçants ou voyageurs, se rendraient sur les territoires respectifs pour leurs affaires, y seront accueillis et traités, dès leur entrée jusqu'à leur sortie, avec les mêmes égards et sur le même pied que les sujets des nations les plus favorisées.

Liberty to Import, Export, and Transport Merchandize, to hire Houses, Shops, and Warehouses. Taxes.

En conséquence, les sujets des deux Hautes Parties Contractantes pourront, soit par terre soit par mer, librement importer dans les pays respectifs, en exporter ou y transporter des marchandises et exercer le commerce dans toute l'étendue des deux Empires, conformément aux règlements et aux lois en vigueur dans les pays respectifs, y louer des maisons, des magasins et des boutiques pour leurs affaires, et ils ne seront soumis, sous aucun nom ou prétexte, à un impôt quelconque auquel ne seraient point soumis les sujets des nations les plus favorisées.

Possession of Lands, Houses, Shops, &c.

Il est bien entendu que si la Haute Cour d'Iran accordait aux sujets d'une nation étrangère le droit d'acquérir et de posséder en Perse des terres, maisons, magasins ou autres immeubles, ce même droit sera aussi accordé aux sujets Autrichiens en Perse.

Submission to Laws.

Les marchands des deux nations qui voudraient faire le commerce intérieur dans les deux pays, seront soumis, quant à ce commerce, aux lois du pays où ce commerce se fait.

Domiciliary Visits.

Les officiers, employés ou subjets de la Haute Cour d'Iran ne pourront entrer de force dans le domicile d'un sujet Autrichien ni dans ses magasins ou boutiques, et, en cas de nécessité, il faudra en prévenir l'Agent Diplomatique ou le Consul Autrichien, là où il y en a, et toute perquisition domiciliaire ne pourra se faire qu'en présence des commissaires délégués par ledit Agent ou Consul.

Dans les localités où il n'y a pas d'Agent ou Consul d'Autriche, les sujets de cette Puissance seront traités à cet égard sur le même pied que le sont les sujets des nations les plus favorisées dans les endroits où il n'y a pas d'Agent ou Consul de leur Gouvernement.

Customs Duties, Imports and Exports.

ART. V. Les sujets Autrichiens qui importeraient des marchandises en Perse ou en exporteraient, seront traités, à l'égard des droits de douane, sur le même pied que les sujets des nations les plus favorisées.

Pareillement les sujets Persans qui importeraient des marchandises dans les Etats de l'Empire d'Autriche ou en exporteraient, seront traités à l'égard des droits de douane et impôts, sur le même pied que les sujets des nations les plus favorisées.

Commercial Privileges to Austrian Subjects.

ART. VI. En considération de l'union intime et des relations particulières qui existent entre l'Autriche et les autres Etats appartenant à la Confédération Germanique, Sa Majesté l'Empereur et Sa Majesté le Shahinshah sont convenus que les sujets desdits Etats Allemands devront jouir en Perse de tous les droits et avantages que le présent Traité assure au commerce et aux sujets Autrichiens, à condition toutefois que les Gouvernements des Etats d'Allemagne susdits s'engagent, dans l'espace de trois années à dater du jour de la ratification du

présent Traité, à admettre à leur tour le commerce et les sujets de la Perse à la jouissance des mêmes droits et avantages qui leur sont accordés en Autriche.

Appointment of Consuls.

ART. VII. Pour la protection de leurs sujets et de leur commerce respectifs, et pour faciliter de bonnes et équitables relations entre les sujets des deux Etats, les deux Hautes Parties Contractantes se réservent la faculté de nommer chacune trois Consuls.

Les Consuls d'Autriche résideront à Téhéran, Tabris et dans un port situé sur le golfe Persique et à désigner plus tard.

Les Consuls de Perse résideront à Vienne, Trieste et Venise.

Ces Consuls des deux pays jouirout, tant pour leur personne et l'exercice de leurs fonctions, que pour leurs maisons, les employés de leurs consulats et les personnes attachées à leur service, des mêmes honneurs et des mêmes priviléges dont jouissent les Consuls du même rang et les Agents commerciaux des nations les plus favorisées.

En cas de désordre publics, il devra être accordé aux Consuls, sur leur demande, une sauvegarde chargée d'assurer l'inviolabilité du domicile consulaire.

Non-protection of Persian Subjects, except those employed by Austrian Diplomatic Agents or Consuls.

Les Agents Diplomatiques et Consuls d'Autriche ne devront pas protéger, ni en secret ni publiquement, aucun sujet Persan qui ne serait pas employé par la Mission Impériale ou par les Consuls-Généraux, Consuls, Vice-Consuls ou Agents Consulaires de l'Autriche; mais si le Gouvernement Persan accordait à une autre Puissance étrangère un pareil droit, le même droit sera aussi accordé à l'Autriche, et dans ce cas, comme pour tout autre, cette Puissance jouira des mêmes priviléges que ceux accordés à la nation la plus favorisée.

Austrian Consuls engaged in Trade.

Il est bien entendu que si un des Agents Consulaires de l'Autriche en Perse s'engageait dans des affaires commerciales, il serait soumis, en ce qui concerne son commerce, aux mêmes lois et usages que les particuliers de sa nation.

Commercial Contracts and Engagements.

ART. VIII. Tous les contrats et autres engagements des sujets des deux Hautes Cours par rapport aux affaires de commerce seront fidèlement maintenus et protégés avec la plus grande exactitude par les Gouvernements respectifs.

Legalization of Commercial Documents.

Pour mieux veiller à la sûreté des sujets Autrichiens en Perse, les billets de créance, lettres de change et lettres de garantie, ainsi que tous les contrats faits par des sujets des deux Hautes Parties Contractantes, relativement à des affaires de commerce, devront être signés par le Divan-Khané et à défaut de celui-ci, par l'autorité locale compétente, et, dans des endroits où il y aurait un Consul Autrichien, aussi par ce dernier, afin qu'en cas de quelque différend, on puisse faire les recherches nécessaires et décider ces affaires litigieuses conformément à la justice.

En conséquence, celui qui, sans être muni des documents ainsi légalisés, voudrait intenter un procès à un sujet Autrichien, et ne produisant d'autre preuves que les déclarations d'un témoin, ne sera point écouté quant à sa demande, à moins que celle-ci ne fût reconnue valable par le sujet Autrichien.

Treatment of Persians in Austria.

La Haute Cour d'Autriche promet également de veiller à la sûreté des sujets Persans dans ses Etats, conformément aux lois et aux usages établis, et de les traiter à cet égard sur le pied des nations les plus favorisées.

Austrian Consular Jurisdiction in Disputes between Austrian Subjects.

ART. IX. Toutes les contestations ou disputes et tous les procès qui s'élèveraient entre des sujets Autrichiens en Perse seront examinés et jugés par le Représentant de Sa Majesté l'Empereur à la Haute Cour d'Iran ou par le Consul Autrichien de leur résidence ou de l'endroit le plus rapproché, conformément aux lois Autrichiennes sans que l'autorité locale y puisse opposer le moindre empêchement ou la moindre difficulté.

Austrian Consular Jurisdiction in Disputes between Austrian and Persian Subjects.

Les procès, contestations et disputes qui s'élèveraient en Perse entre des Autrichiens et des sujets appartenant à d'autres nations étrangères, seront jugés exclusivement par l'intermédiaire de leurs Agents ou Consuls.

Toutes les contestations ou disputes et tous les procès qui s'élèveraient en Perse entre les sujets des deux Hautes Parties Contractantes seront jugés devant les tribunaux Persans, mais ces différends et procès ne pourront être décidés ou jugés qu'en presence et avec l'intervention du Représentant ou Consul Impérial ou, au nom de celui-ci, en présence du Drogman Autrichien, le tout conformément aux lois et aux coutumes du pays.

Revision of Judgment.

Le procès une fois terminé par la sentence du juge compétent ne pourra plus être repris une seconde fois, mais si la nécessité exigeait la révision du jugement prononcé, celle-ci ne pourra se faire qu'avec l'avis du Représentant ou Consul d'Autriche, ou au nom de celui-ci, en présence du Drogman Autrichien et que devant une des Cours Suprêmes de Contrôle et de Cassation qui siègent à Tehéran ou à Tabris ou Ispahan.

Trial of Disputes in Austria in which Persians are interested.

En réciprocité de ces engagements, les sujets de la Haute Cour d'Iran jouiront en Autriche, pour leurs intérêts et leurs droits acquis, en cas de contestations, de la pleine protection des lois et des tribunaux Autrichiens, de la même manière que les sujets nationaux et ceux d'autres Puissances étrangères ; et la Haute Cour d'Autriche accorde aux Représentants, Consuls et Agents de la Haute Cour d'Iran, quant à une intervention de leur part en faveur de leurs nationaux auprès des autorités Impériales, la même faculté dont jouissent en Autriche les Agents Diplomatiques et Consuls des nations les plus favorisées.

Failures and Bankruptcies, &c.

ART. X. Si un sujet de l'une des deux Hautes Cours résidant dans les domaines de l'autre se déclare en état de faillite ou fait banqueroute, on dressera l'inventaire de tous ses biens, de ses effets et de ses comptes actifs et passifs pour en faire la liquidation requise et la juste répartition au pro-rata entre ses créanciers qui devront, à la fin de cette procédure, restituer les titres de leurs créances après en avoir reçu la somme proportionnelle qui leur revient.

Cette procédure ne pourra avoir lieu à l'égard d'un sujet Autrichien en Perse que de l'avis et sous l'intervention du Représentant ou Consul d'Autriche, et celui-ci, sur la demande faite par les créanciers, n'hésitera point de provoquer les recherches nécessaires pour constater si le failli n'a pas laissé dans sa patrie des biens qui pourraient satisfaire à leurs réclamations.

Si un sujet Persan en Autriche se déclare en fallite ou fait banqueroute, la Haute Cour d'Autriche accorde aux Représentants, Consuls et Agents de la Haute Cour d'Iran, quant à l'intervention de leur part, en faveur de ce sujet Persan, la même faculté dont jouiraient éventuellement en Autriche les Agents Diplomatiques et Consuls des nations les plus favorisées.

Succession to Property of Deceased Subjects.

ART. XI. En cas de décès de l'un de leurs sujets respectifs

sur le territoire de l'un ou de l'autre Etat, sa succession sera remise intégralement à la garde de l'Agent ou du Consul de la nation du sujet décédé, pour que celui-ci en fasse l'usage convenable conformément aux lois et coutumes de son pays.

Criminal Jurisdiction.

ART. XII. Les affaires de la juridiction criminelle, dans lesquelles seraient compromis des sujets Autrichiens en Perse, ou des sujets Persans en Autriche, seront jugées dans les deux pays suivant le mode adopté à l'égard de la nation la plus favorisée.

Proceeding in case of Wars with other Powers.

ART. XIII. En cas de guerre de l'une des deux Parties Contractantes avec une autre Puissance, il ne sera porté, pour cette seule cause, atteinte, justice, préjudice ou altération à la bonne intelligence et à l'amitié sincère qui doivent exister à jamais entre les Hautes Cours d'Autriche et d'Iran.

Ratifications. Duration of Treaty. (*Till 13th November*, 1882; *and then terminable after 12 months' notice.*)

ART. XIV. Le présent Traité restera en vigueur pendant 25 années à compter du jour de l'échange des ratifications* et au delà de ce terme jusqu'à l'expiration de 12 mois après que l'une des Hautes Parties Contractantes aura annoncé à l'autre d'en faire cesser les effets.

Les Gouverneurs, commandants, douaniers, officiers et autres employés des deux Hautes Parties Contractantes seront chargés d'en remplir les stipulations avec toute l'exactitude possible et sans y porter la moindre atteinte.

Des ratifications de leurs Majestés les deux augustes Souverains seront échangées à Paris ou à Constantinople dans l'espace de six mois, ou plus tôt, si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs des deux Hautes Parties Contractantes ont signé le présent Traité et y ont apposé le sceau de leurs armes.

Fait à Paris, en double expédition, en Français et en Persan, le 17me jour du mois de Mai, de l'an du Christ, 1857, et le 22me du mois de Ramazan de l'Hégire l'année 1273.

(L.S.) HUBNER.
(L.S.) AMIN-OL-MOLK FARROKH KHAN.

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* 13th November, 1857.

TRAITE d'Amitié et de Commerce entre la Belgique et la Perse.— Signé à Bruxelles, le 31 Juillet, 1857.*

[Ratifications échangées à Paris, le 22 Mars, 1858.]

TABLE OF CONTENTS.

Art.
I. Friendship.
II. Reception of Ambassadors or Diplomatic Agents.
III. Protection of Travellers, Merchants, and others. Most-Favoured-Nation Treatment. Importation, Exportation, and Transport of Merchandize, &c. Hire of Houses, Shops, and Warehouses. Passports. Submission to the Laws.
IV. Duties on Ships and Merchandize.
V. Belgian Consular Jurisdiction: Disputes between Belgian Subjects. Belgian Consular Jurisdiction: Disputes between Belgians and Persians. Belgian Consular Jurisdiction: Disputes between Belgians and Subjects of other Powers. Trial of Disputes in Belgium in which Persian Subjects are interested. Criminal Jurisdiction.
VI. Succession to Property of Deceased Subjects.
VII. Appointment of Consuls. Non-protection of Subjects of either Country by Diplomatic or Consular Agents. Trading Consuls.
VIII. Non-interruption of Relations in event of War with other Powers.
IX. Ratification; Duration of Treaty.

Au nom de Dieu clément et miséricordieux?

Sa Haute Majesté Léopold I, Roi des Belges, le monarque illustre et libéral:

Et Sa Majesté dont l'étendard est le Soleil, le Sacré, l'Auguste, le Grand Monarque, le Roi des Rois, le Souverain absolu de tous les Etats de Perse;

Désirant se donner un nouveau et solennel témoignage de l'amitié qui les unit et imprimer un plus vif essor au commerce entre leurs Etats respectifs, ont résolu de conclure un Traité à cet effet, et ont nommé pour leurs Plénipotentiaires:

Sa Majesté le Roi des Belges, le Vicomte Charles Vilain XIIII, son Ministre des Affaires Etrangères;

Et Sa Majesté l'Empereur de toute la Perse, son Excellence Ferrokh Khan, Eminol Molk, Asile de grandeur, le favori du Roi, Grand Ambassadeur du Sublime Empire de Perse, &c.;

Et les deux Plénipotentiaires s'etant réunis à Bruxelles, ayant échangé leurs pleins pouvoirs, et les ayant trouvés en bonne et due forme, ont arrêté les Articles suivants:

Friendship.

ART. I. Il continuera d'exister une amitié sincère et une constante bonne intelligence entre le royaume de Belgique et tous les sujets Belges et l'empire de Perse et tous les sujets Persans.

* From "State Papers," Vol. 47, page 622.

Reception of Ambassadors or Diplomatic Agents.

ART. II. Les Ambassadeurs ou Agents Diplomatiques qu'il plairait à chacune des deux Hautes Puissances Contractantes d'envoyer et d'entretenir auprès de l'autre, seront reçus et traités dans les deux pays respectifs, eux et tout le personnel de leur mission, comme sont reçus et traités les Ambassadeurs ou Agents Diplomatiques des nations les plus favorisées, et ils y jouiront de toutes les mêmes prérogatives et immunités.

Protection of Travellers, Merchants, and others. Most-Favoured-Nation Treatment.

ART. III. Les sujets des deux Hautes Parties Contractantes, voyageurs, négociants, industriels et autres, soit qu'ils se déplacent, soit qu'ils résident sur le territoire de l'un ou de l'autre Etat, seront respectés et efficacement protégés par les autorités du pays et leurs propres agents et traités à tous égards comme le sont les sujets de la nation la plus favorisée.

Importation, Exportation, and Transport of Merchandize.

Ils pourront réciproquement apporter par terre et par mer, dans l'un et l'autre Etat, et en exporter toute espèce de marchandises et de produits, les vendre, les acheter, les changer, les transporter en tous lieux sur le territoire de l'un et de l'autre Etat.

Hire of Houses, Shops, and Warehouses.

Ils pourront louer des maisons, des boutiques et des magasins pour leurs demeures et affaires de commerce, sans qu'il y soit apporté aucun empêchement de la part des employés du Gouvernement.

Passports.

Les Belges qui, dans le but de voyager ou d'exercer le commerce, voudront visiter les Etats de la haute cour d'Iran, obtiendront, pour leur sécurité, des commandements impériaux et des passe-ports au moyen desquels ils ne recontreront aucun obstacle et trouveront protection et assistance.

Submission to Laws.

Mais il est bien entendu que les sujets de l'un et de l'autre Etat qui se livreraient au commerce intérieur, seront soumis aux lois du pays où ils font le commerce.

Duties on Ships and Merchandize.

ART. IV. Les navires respectifs et les marchandises importées ou exportées par les sujets respectifs des deux Hautes Parties Contractantes ne payeront dans l'un et l'autre Etat, soit à l'entrée, soit à la sortie, par terre ou par mer, que les mêmes

droits que payent à l'entrée et à la sortie, dans l'un et l'autre Etat, les navires ainsi que les marchandises et produits importés ou exportés par les marchands et sujets de la nation la plus favorisée, et nulle taxe exceptionnelle ne pourra, sous aucun prétexte, être réclamée dans l'un comme dans l'autre Etat.

Belgian Consular Jurisdiction. Disputes between Belgian Subjects.

ART. V. Les procès, contestations et disputes, qui, dans l'empire de Perse, viendraient à s'élever entre Belges, seront référés en totalité à l'arrêt et à la décision de l'Agent ou Consul Belge qui résidera dans la province où ces procès, contestations et disputes auraient été soulevés, ou dans la province la plus voisine.

Il en décidera d'après les lois Belges.

Belgian Consular Jurisdiction. Disputes between Belgians and Persians.

Les procès, contestations et disputes soulevés en Perse entre Belges et Persans seront portés devant le tribunal Persan, juge ordinaire de ces matières, au lieu où résidera un Agent ou un Consul Belge, et discutés et jugés selon l'équité, en présence d'un employé de l'Agent ou du Consul Belge.

Belgian Consular Jurisdiction. Disputes between Belgians and Subjects of other Powers.

Les procès, contestations et disputes soulevés en Perse entre des Belges et des sujets appartenant à d'autres puissances également étrangères, seront jugés et terminés par l'intermédiaire de leurs Agents ou Consuls respectifs.

Trial of Disputes in Belgium in which Persian Subjects are interested.

Dans le royaume de Belgique, les sujets Persans seront également, dans toutes leurs contestations, soit entre eux, soit avec des Belges ou des étrangers, jugés suivant le mode adopté dans ce royaume envers les sujets de la nation la plus favorisée.

Criminal Jurisdiction.

Quant aux affaires de la juridiction criminelle dans lesquelles seront compromis des Belges en Perse, ou des Persans en Belgique, elles seront jugées, en Belgique et en Perse, suivant le mode adopté dans les deux pays envers les sujets de la nation la plus favorisée.

Succession to Property of Deceased Subjects.

ART. VI. En cas de décès de l'un de leurs sujets respectifs sur le territoire de l'un ou de l'autre Etat, il sera procédé de la

même manière qu'à l'égard des successions appartenant aux sujets de la nation la plus favorisée.

Appointment of Consuls.

ART. VII. Pour la protection de leurs sujets et de leur commerce respectifs, et pour faciliter de bonnes et équitables relations entre les sujets des deux Etats, les deux Hautes Parties Contractantes se réservent la faculté de nommer chacune trois Consuls. Les Consuls de Belgique résideront à Téhéran, à Bender-Bouchir* et à Tauris,† les Consuls de Perse résideront à Bruxelles, à Anvers et à Liége.

Les Consuls des deux Hautes Parties Contractantes jouiront réciproquement sur le territoire de l'un et de l'autre Etat où sera établie leur résidence, du respect, des priviléges et des immunités accordés dans l'un et l'autre Etat aux Consuls de la nation la plus favorisée.

Non-Protection of Subjects of either Country by Diplomatic or Consular Agents.

Les Agents Diplomatiques et les Consuls Belges ne protégeront ni publiquement ni secrètement les sujets Persans.

Les Agents Diplomatiques et les Consuls Persans ne protégeront ni publiquement ni secrètement les Belges.

Trading Consuls.

Les Consuls des deux Gouvernements qui dans l'un et l'autre Etat se livreraient au commerce, seront soumis aux mêmes lois et mêmes usages auxquels sont soumis leurs nationaux faisant le même commerce.

Non-interruption of Relations in event of War with other Powers.

ART. VIII. En cas de guerre de l'une des Hautes Puissances avec une autre, il ne sera porté atteinte en aucune manière à l'amitié et bonne intelligence qui existera perpétuellement entre les deux cours.

Ratification. Duration of Treaty. (*Till* 22*nd March*, 1888, *and then terminable after* 12 *months' notice.*)

ART. IX. Le présent Traité de Commerce et d'Amitié, cimenté par le sincère amitié et la confiance qui règnent entre les deux Etats bien conservés de Belgique et de Perse, sera Dieu aidant, fidèlement observé et maintenu de part et d'autre pendant dix ans, à dater du jour où les ratifications seront échangées‡; mais, si une année avant l'expiration du terme fixé, aucune des deux Hautes Parties Contractantes n'a annoncé officiellement à l'autre l'intention d'en faire cesser les effets, il

* Bushire. † Tabreez. ‡ 22nd March, 1858.

continuera à rester en vigueur pour un an, à dater du jour où il aura été dénoncé, quelle que soit l'époque à laquelle cette déclaration aura lieu.

Les Plénipotentiaires des deux Hautes Parties Contractantes s'engagent à échanger les ratifications de leurs Augustes Souverains, soit à Bruxelles, à Téhéran ou à Constantinople, dans l'espace de 12 mois ou plus tôt si faire se peut.

En foi de quoi les deux Plénipotentiaires respectifs des deux Hautes Parties Contractantes ont signé le présent Traité, et y ont apposé leurs sceaux.

Fait en double en Français et en Persan, le 31me du mois de Juillet, de l'an du Christ 1857, à Bruxelles.

(L.S.) VICOMTE VILAIN XIIII.
(L.S.) FERROKH KHAN.

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*TREATY of Friendship and Commerce, between Denmark and Persia.—Signed at Paris, 30th November, 1857.**

[Ratifications échangées à Paris, le 18th Août, 1858.]

TABLE OF CONTENTS.

Art.
I. Friendship.
II. Reception of Diplomatic Agents.
III. Protection of Travellers, Merchants, and others. Liberty to Import, Export, and Transport Merchandize, &c. Submission to the Laws.
IV. Duties on Ships and Merchandize.
V. Appointment of Consuls. Non-protection of Subjects of either Country by Diplomatic or Consular Agents. Trading Consuls.
VI. Ratifications; Duration of Treaty.

Au nom du Dieu clément et miséricordieux!

SA Majesté Frédérik VII, par la grâce de Dieu, Roi de Danemark, des Vandales et des Goths, Duc de Slesvick, Holstein, Stormarn, des Dithmarses, de Lauenbourg et d'Oldenbourg;

Et Sa Majesté dont l'étendard est le Soleil, le Sacré, l'Auguste, le Grand Monarque, le Roi des Rois, et le Souverain de tous les Etats de Perse;

L'un et l'autre également et sincèrement désireux d'établir des rapports d'amitié entre Leurs Etats respectifs, ont voulu les consolider par un Traité d'Amitié et de Commerce réciproquement avantageux et utile aux sujets des Deux Hautes Parties Contractantes, et à cet effet ont désigné pour Leur Plénipotentiaires;

Sa Majesté le Roi de Danemark: Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté l'Empereur des

* From "State Papers," Vol. 47, page 1156.

Français, le Baron Jean Charles Daniel Ulysse Dirckinck de Holmfeld, Son Chambellan et Grand-Veneur, &c.

Et Sa Majesté l'Empereur de toute la Perse: Son Excellence Ferrokh Khan Eminol Molk, Ambassadeur du Sublime Empire de Perse, &c.

Et ces deux Plénipotentiaires s'étant réunis à Paris, ayant échangé leurs pleins pouvoirs et les ayant trouvés en bonne et due forme ont arrêté les Articles suivants:

Friendship.

ART. I. A date de ce jour il y aura amitié sincère et une constante bonne intelligence entre le Royaume de Danemark et tous les Danois, et l'Empire de Perse et tous les sujets Persans.

Reception of Diplomatic Agents.

ART. II. Les Ambassadeurs, Ministres Plénipotentiaires ou autres Agents Diplomatiques qu'il plairait à chacune des Hautes Parties Contractantes d'envoyer et d'entretenir auprès de l'autre seront reçus et traités dans les deux pays respectifs, eux de tout le personnel de leur mission, comme son reçus et traités les Ambassadeurs ou Ministres Plénipotentiaires ou les autres Agents Diplomatiques des nations les plus favorisées et ils y jouiront de tout point des mêmes prérogatives et immunités.

Protection of Travellers, Merchants, and Others.

ART. III. Les sujets des deux Hautes Parties Contractantes, voyageurs, négociants, industriels et autres, soit qu'ils résident sur le territoire de l'un ou de l'autre Etat, seront respectés et efficacement protégés par les autorités du pays et leurs propres agents, et traités à tous égards comme le sont les sujets de la nation la plus favorisée.

Liberty to Import, Export, and Transport Merchandize, &c.

Ils pourront réciproquement apporter par terre et par mer dans l'un et l'autre Etat et en exporter toute espèce de marchandises et de produits, les vendre, les échanger, les acheter, les transporter en tous lieux sur le territoire de l'un et de l'autre Etat.

Submission to the Laws.

Mais il est bien entendu que les sujets de l'un et de l'autre Etat, qui se livreraient au commerce intérieur, seront soumis aux lois du pays où ils font le commerce.

Duties on Ships and Merchandize.

ART. IV. Les navires respectifs et les marchandises importées ou exportées par les sujets respectifs des deux Hautes Parties Contractantes ne paieront dans l'un ou dans l'autre Etat, soit à

l'entrée soit à la sortie, que les mêmes droits que payent à l'entrée ou à la sortie, dans l'une de l'autre Etat, les navires, les marchandises et produits importés et exportés par les marchands et sujets de la nation la plus favorisée, et nulle taxe exceptionnelle ne pourra sous aucun nom et sous aucun prétexte être réclamée dans l'un comme dans l'autre Etat.

Appointment of Consuls.

ART. V. Pour la protection de leur sujets et de leur commerce respectifs et pour faciliter de bonnes et équitables relations entre les sujets des Hautes Parties Contractantes, elles se réservent la faculté de nommer chacune trois Consuls. Les Consuls du Danemark résideront à Téhéran, à Bender-Bouchir* et à Tauris;† ceux de la Perse à Copenhague, Flensbourg et Altona.

Les Consuls des deux Hautes Parties Contractantes jouiront réciproquement sur le territoire de l'un et de l'autre Etat, où sera établie leur résidence, du respect, des priviléges et des immunités accordés dans l'un et dans l'autre Etat aux Consuls de la nation la plus favorisée.

Non-Protection of Subjects of either Country by Diplomatic or Consular Agents.

Les Agents Diplomatiques et les Consuls du Danemark en Perse ne protégeront ni publiquement ni secrètement les sujets Persans.

Les Agents Diplomatiques et les Consuls Persans en Danemark ne protégeront ni publiquement ni secrètement les sujets Danois.

Trading Consuls.

Les Consuls des Gouvernements Contractants, qui dans l'un et l'autre Etat se livreraient au commerce, seront soumis aux mêmes lois et aux mêmes usages auxquels sont soumis leurs nationaux faisant le même commerce.

Ratifications; Duration of Treaty. (*Till* 18*th August*, 1870, *and then terminable after* 12 *months' notice.*)

ART. VI. Le présent Traité d'Amitié et de Commerce cimenté par la sincère amitié et la confiance qui règne entre les monarchies du Danemark et de la Perse sera, Dieu aidant, fidèlement observé et maintenu de part et d'autre pendant douze ans, à dater du jour où les ratifications seront échangées.‡ Mais si une année avant l'expiration du terme fixé, aucune des deux Hautes Parties Contractantes n'a annoncé officiellement à l'autre l'intention d'en faire cesser les effets, il continuera à rester en vigueur pour les deux Parties pendant un an, à dater du jour où il aura été dénoncé, quelle que soit l'époque à laquelle cette déclaration aura eu lieu.

* Bushire. † Tabreez. ‡ 18th August, 1858.

Les Plénipotentiaires des deux Hautes Parties Contractantes s'engagent à échanger les ratifications de Leurs Augustes Souverains à Paris ou à Constantinople dans l'espace d'un an, ou plus tôt, si faire se peut.

En foi de quoi les Plénipotentiaires respectifs des deux Hautes Parties Contractantes ont signé le présent Traité et y ont apposé leurs sceaux.

Fait double en Français et en Persan le 30me jour du mois de Novembre, de l'an du Christ, 1857.

(L.S.) U. DIRCKINCK DE HOLMFELD.
(L.S.) FERROKH KHAN.

PERSIA AND EGYPT.

ART. XIII of the Commercial Convention between Great Britain and Egypt of the 29th October, 1889, declares that its provisions do not apply to the special arrangements existing, or which may in the future exist, between Egypt and Persia.

Under Article II of the Turco-Persian Treaty of 28th July, 1823 (page 165), which was confirmed by Article VI of the Treaty of 31st May, 1847 (page 170), the import duty to be levied by both Turkey and Persia on the trade between the two countries was fixed at 4 per cent.; which duty was subsequently raised, by an exchange of Notes, to 6 per cent.

TRAITÉ *d'Amitié et de Commerce entre la France et la Perse. Signé à Téhéran, le* 12 *Juillet*, 1855.*

[Ratifications échangées à Téhéran, le 14 Juillet, 1855.]

TABLE OF CONTENTS.

Art.
I. Friendship.
II. Reception of Diplomatic Agents.
III. Protection of Travellers, Merchants, and others. Most-Favoured-Nation Treatment. Liberty to Import, Export, or Transport Merchandize, &c.
IV. Duties on Goods.
V. French Consular Jurisdiction: Disputes between French Subjects. French Consular Jurisdiction: Disputes between French and Persian Subjects. French Consular Jurisdiction: Disputes between French Subjects and those of other Powers. Trial of Disputes in French in which Persians are interested. Criminal Jurisdiction.
VI. Succession to Property of Deceased Subjects.
VII. Appointment of Consuls.
VIII. Ratifications; Treaty to be perpetual.

Au nom de Dieu clément et miséricordieux !

Sa Haute Majesté l'Empereur Napoléon, dont l'élévation est pareille à celle de la planète Saturne, à qui le Soleil sert d'étendard, l'astre lumineux du firmament des têtes couronnées,

* From "State Papers," Vol. 47, page 869.

le soleil du ciel de la royauté, l'ornement du diadème, le splendeur des étendards insignes impériaux, le Monarque illustre et libéral;

Et Sa Majesté élevée comme la planète de Saturne, le Souverain à qui le Soleil sert d'étendard, dont la splendeur et la magnificence sont pareilles à celles des cieux, le Souverain sublime, le Monarque dont les armées sont nombreuses comme les étoiles, dont la grandeur rappelle celle de Djemschid, dont la munificence égale celle de Darius, l'héritier de la couronne et du trône des Keyaniens, l'Empereur sublime et absolu de toute la Perse;

L'un et l'autre, également et sincèrement désireux d'établir des rapports d'amitié entre les 2 Etats, ont voulu les consolider par un Traité d'amitié et de commerce réciproquement avantageux et utile aux sujets des 2 Hautes Puissances Contractantes;

A cet effet, ont désigné pour leurs Plénipotentiaires:

Sa Majesté l'Empereur de France, le Sieur Nicolas-Prosper Bourée, son Envoyé Extraordinaire et Ministre Plénipotentiaire, etc.:

Et Sa Majesté l'Empereur de toute la Perse, son Excellence Mirza-Aga-Khan, son premier Ministre, Eetemad-el-Dowlet (confiance du Gouvernement), etc.

Et les 2 Plénipotentiaires s'etant réunis à Téhéran, ayant échangé leur pleins pouvoirs et les ayant trouvés en bonne et due forme ont arrêté les Articles suivants:

Friendship.

ART. I. A dater de ce jour et à perpétuité, il y aura amitié sincère et une constante bonne intelligence entre l'Empire de France et tous les sujets Français, et l'Empire de Perse et tous les sujets Persans.

Reception of Diplomatic Agents.

ART. II. Les Ambassadeurs ou Ministres Plénipotentiaires qu'il plairait à chacune des 2 Hautes Puissances Contractantes d'envoyer et d'entretenir auprès de l'autre seront reçus et traités, eux et tout le personnnel de leur mission, comme sont reçus et traités, dans les 2 pays respectifs, les Ambassadeurs ou Ministres Plénipotentiaires des nations les plus favorisées, et ils y jouiront, de tout point, des mêmes prérogatives et immunités.

Protection of Travellers, Merchants, and Others. Most-Favoured-Nation Treatment.

ART. III. Les sujets des 2 Hautes Parties Contractantes, voyageurs, négociants, industriels et autres, soit qu'ils se déplacent, soit qu'ils résident sur le territoire de l'une ou de l'autre Empire, seront respectés et efficacement protégés par les autorités du pays et leurs propres agents, et traités, à tous égards, comme le sont les sujets de la nation la plus favorisée.

Liberty to Import, Export, or Transport Merchandize, &c.

Ils pourront réciproquement apporter, par terre et par mer, dans l'un et l'autre Empire et en exporter toute espèce de marchandises et de produits, les vendre, les échanger, les acheter, les transporter en tous lieux sur les territoires de l'un et de l'autre Etat.

Duties on Goods.

ART. IV. Les marchandises importées ou exportées par les sujets respectifs des 2 Hautes Parties Contractantes ne payeront dans l'un et l'autre Etat, soit à l'entrée, soit à la sortie, que les mêmes droits que payent à l'entrée et à la sortie, dans l'un et l'autre Etat, les marchandises et produits importés et exportés par les marchands et sujets de la nation la plus favorisée; et nulle taxe exceptionelle ne pourra, sous aucun nom et sous aucun pretexte, être réclamée dans l'un comme dans l'autre Etat.

French Consular Jurisdiction: Disputes between French Subjects.

ART. V. Les procès, contestations et disputes qui, dans l'Empire de Perse, viendraient à s'élever entre sujets Français, seront référés en totalité à l'arrêt et à la décision de l'agent ou Consul Français qui résidera dans la province où ces procès, contestations et disputes auraient été soulevés, ou dans la province la plus voisine. Il en décidera d'après les lois Françaises.

French Consular Jurisdiction: Disputes between French and Persian Subjects.

Les procès, contestations et disputes soulevés en Perse entre des sujets Français et des sujets Persans, seront portés devant le tribunal Persan, juge ordinaire de ces matières, au lieu où résidera un Agent ou un Consul Français, et discutés et jugés selon l'équité, en présence d'un employé de l'Agent ou du Consul Français.

French Consular Jurisdiction: Disputes between French Subjects and those of other Powers.

Les procès, contestations et disputes soulevés en Perse entre des sujets Français et des sujets appartenant à d'autres puissances également étrangères, seront jugés et terminés, par l'intermédiaire de leurs Agents ou Consuls respectifs.

Trial of Disputes in France in which Persians are Interested.

En France, les sujets Persans seront également, dans toutes leurs contestations, soit entre eux, soit avec des sujets Français ou étrangers, jugés suivant le mode adopté dans cet Empire envers les sujets de la nation la plus favorisée.

Criminal Jurisdiction.

Quant aux affaires de la juridiction criminelle dans lesquelles seraient compromis des sujets Français en Perse, des sujets Persans en France, elles seront jugées en France et en Perse suivant le mode adopté dans les 2 pays envers les sujets de la nation la plus favorisée.

Succession to Property of Deceased Subjects.

ART. VI. En cas de décès de l'un de leurs sujets respectifs sur le territoire de l'un ou de l'autre Etat, sa succession sera remise intégralement à la famille ou aux associés du défunt, s'il en a. Si le défunt n'avait ni parents ni associés, sa succession, dans l'un comme dans l'autre Pays, serait remise à la garde de l'Agent ou du Consul de la nation du sujet décédé, pour que celui-ci en fasse l'usage convenable, conformément aux lois et coutumes de son pays.

Appointment of Consuls.

ART. VII. Pour la protection de leurs sujets et de leur commerce respectifs, et pour faciliter de bonnes et équitables relations entre les sujets des 2 Etats, les 2 Hautes Parties Contractantes se réservent la faculté de nommer chacune 3 Consuls. Les Consuls de France résideront à Téhéran, à Bender-Bouchir,* à Tauris.† Les Consuls de Perse résideront à Paris, à Marseille, et à l'Ile de la Réunion (Bourbon).

Ces Consuls des 2 Hautes Puissances Contractantes jouiront réciproquement, sur le territoire de l'un et de l'autre Empire où sera établie leur résidence, du respect, des priviléges et des immunités accordés dans l'un et dans l'autre Empire aux Consuls de la nation la plus favorisée.

Ratifications; Treaty to be perpetual.

ART. VIII. Le présent Traité de Commerce et d'Amitié, cimenté par la sincère amitié et la confiance qui règnent entre les 2 Empires bien conservés de France et de Perse, sera, Dieu aidant, fidèlement observé et maintenu, de part et d'autre, à perpétuité, et les Plénipotentiaires des 2 Hautes Parties Contractantes s'engagent à échanger les ratifications impériales de leurs augustes Souverains, soit à Téhéran, soit à Paris, dans l'espace de 6 mois, ou plus tôt, si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs des 2 Hautes Parties Contractantes ont signé le présent Traité et y ont apposé leurs sceaux.

Fait double, en Français et en Persan, le 12 du mois de Juillet, de l'an du Christ, 1855, et le 27 du mois de Chawal de l'Hégire, l'année 1271, à Téhéran.

(L.S.) P. BOUREE.
(L.S.) MIRZA-AGA-KHAN.

* Bushire. † Tabreez.

TRAITE d'Amitié, de Commerce, et de Navigation, entre l'Allemagne et la Perse.—Signé à St. Pétersbourg, le 11 *Juin,* 1873.*

TABLE OF CONTENTS.

Art.
I. Friendship.
II. Reception of Diplomatic Agents.
III. Appointment of Consuls. Inviolability of Consular Domicile. Non-protection of Subjects of either Country by Diplomatic or Consular Agents of the other. Trading Consuls.
IV. Commerce and Navigation: Most-Favoured-Nation Treatment.
V. Liberty to Subjects of either Country to travel in, and to pass through, the Territories of the other. Passports.
VI. Treatment of Travellers, Merchants, and others. Liberty to Import, Export, and Transport Merchandize. Liberty to Hire Houses, Shops, &c. Liberty to Possess Lands, Houses, &c. Taxes. Submission to the Laws.
VII. Customs Duties, Imports and Exports.
VIII. Liberty to Merchant Ships of either country to enter Rivers, Ports, &c., of the other.
IX. Port, Tonnage, Lighthouse, Pilotage, and other Dues.
X. Wrecks and Salvage.
XI. Inviolability of Domicile.
XII. Contracts. Bills of Exchange, &c. Legalization of Documents. Treatment of Persians in Germany.
XIII. German Diplomatic and Consular Jurisdiction in Persia. Trial of Suits and Disputes between German Subjects. Suits and Disputes between Germans and Subjects of Foreign Nations. Suits and Disputes between Germans and Persians. Protection of Persian Interests and Rights in Germany. Intervention of Persian Diplomatic or Consular Agents.
XIV. Bankruptcies.
XV. Succession to Property of Deceased Subjects.
XVI. Criminal Jurisdiction.
XVII. Naturalization.
XVIII. Non-interruption of Friendly Relations in case of War with other Powers. Employment of Good Offices.
XIX. Duration of Treaty. Modifications of Treaty.
XX. Application of Treaty to Grand Duchy of Luxemburg.
XXI. Execution of Treaty by Public Officials. Ratifications.

Au nom de Dieu clément et miséricordieux!

SA Majesté l'Empereur d'Allemagne, d'une part, et Sa Majesté, dont le Soleil est l'étendard, le Sacré, l'Auguste et Grand Monarque, le Souverain absolu et l'Empereur des Empereurs de tous les Etats de Perse, d'autre part.

L'un et l'autre également et sincèrement désireux de reserrer les rapports d'amitié entre l'Empire d'Allemagne et l'Empire Persan, sont convenus de reviser les Traités existants et de les remplacer par un nouveau Traité d'Amitié, de Commerce et de Navigation réciproquement avantageux et utile aux sujets des Hautes Puissances Contractantes.

A cet effet ont nommé pour leurs Plénipotentiaires:

Sa Majesté l'Empereur d'Allemagne, son Altesse Sérénissime, Monseigneur le Prince Henry VII. Reuss, Lieutenant-Général

* From "State Papers," Vol. 63, page 45.

et son Aide-de-Camp Général, son Ambassadeur Extraordinaire et Plénipotentiaire, &c.;

Et Sa Majesté le Shahinshah de Perse, son Excellence Mirza Abdulrahim Khan saïd oul Moulk, son Envoyé Extraordinaire et Ministre Plénipotentiaire, &c.;

Et les deux Plénipotentiaires s'étant réunis à St. Pétersbourg ayant échangé leurs pleins pouvoirs, et les ayant trouvés en bonne et due forme, sont convenus des Articles suivants:

Friendship.

ART. I. Il y aura comme par le passé amitié sincère et bonne intelligence entre les Etats et les sujets des Hautes Parties Contractantes.

Reception of Diplomatic Agents.

ART. II. Les Ambassadeurs, Ministres Plénipotentiaires ou autres Agents Diplomatiques respectifs seront reçus et traités réciproquement, eux et tout le personnel de leurs missions comme sont reçus dans les pays respectifs les Ambassadeurs, Ministres Plénipotentiaires ou autres Agents Diplomatiques des nations les plus favorisées, et ils y jouiront de tout point, des mêmes honneurs, prérogatives et immunités.

Appointment of Consuls.

ART. III. Pour la protection de leurs sujets et de leur commerce respectifs, et pour faciliter de bonnes et équitables relations entre leurs sujets, les Hautes Parties Contractantes se réservent la faculté de nommer chacune 3 Consuls dans les Etats respectifs.

Les Consuls d'Allemagne résideront à Téhéran, à Tauris* et à Bender-Bouchir.†

Les Consuls de Perse résideront en Allemagne partout où se trouvent des Consuls d'une Puissance étrangère.

Ces Consuls des Hautes Puissances Contractantes jouiront réciproquement tant pour leur personne et l'exercice de leurs fonctions que pour leurs maisons, les employés de leurs Consulats et les personnes attachées à leur service, des mêmes honneurs et des mêmes priviléges dont jouissent et jouiront à l'avenir les Agents Consulaires de la nation la plus favorisée.

Inviolability of Consular Domicile.

En cas de désordres publics, il devra être accordé aux Consuls sur leur demande, une sauvegarde chargée d'assurer l'inviolabilité du domicile Consulaire.

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* Tabreez. † Bushire.

Non-Protection of Subjects of either Country by Diplomatic or Consular Agents of the other.

Les Agents Diplomatiques et Consuls d'Allemagne et réciproquement les Agents Diplomatiques et Consuls de l'Empire Persan ne devront pas protéger, ni en sécret ni publiquement, aucun sujet Persan et réciproquement aucun sujet Allemand qui ne serait pas employé effectivement par leurs Missions ou par les Consuls-Généraux, Consuls, Vice-Consuls ou Agents Consulaires respectifs.

Trading Consuls.

Il est bien entendu que si un des Agents Consulaires de l'une des Hautes Parties Contractantes s'engageait dans les affaires commerciales sur le territoire de l'autre Puissance, il serait soumis à cet égard aux mêmes lois et aux mêmes usages, auxquels sont soumis leurs nationaux faisant le même commerce.

Commerce and Navigation: Most-Favoured-Nation Treatment.

ART. IV. Les sujets de chacune des Parties Contractantes jouiront dans les territoires de l'autre des mêmes droits, priviléges, immunités et exemptions dont jouissent actuellement ou jouiront à l'avenir en matière de commerce et de navigation les sujets de la nation la plus favorisée.

Liberty to Subjects of either Country to travel in and to pass through the Territories of the other. Passports.

ART. V. Les sujets des deux Hautes Parties Contractantes pourront parcourir en pleine liberté les territoires respectifs et les traverser pour se rendre dans les pays voisins, sans qu'ils en soient empêchés par les autorités locales qui, de leur côté, mettront la plus vive sollicitude à les préserver de tout désagrément, en veillant continuellement à leur sûreté personnelle, en les traitant avec tous les égards possibles afin qu'ils n'éprouvent ni dommage ni entrave ou vexation quelconque dans leur voyage, et en les munissant à cet effet de sauf-conduits, firmans ou autres documents.

Treatment of Travellers, Merchants, and others.

ART. VI. Les sujets des Hautes Parties Contractantes qui, en leur qualité de marchands, commerçants ou voyageurs, se rendraient sur les territoires respectifs pour leurs affairs, y seront accueillis et traités dès leur entrée jusqu'à leur sortie, avec les mêmes égards et sur le même pied que les sujets des nations les plus favorisées.

Liberty to Import, Export, and Transport Merchandize.

En conséquence les sujets des Hautes Parties Contractantes pourront soit par terre soit par mer, librement importer dans les pays respectifs, en exporter ou y transporter des marchandises et exercer le commerce dans toute l'étendue de leurs Etats, conformément aux règlements et aux lois en vigueur dans les pays respectifs;

Liberty to Hire Houses, Shops, Warehouses, &c. Taxes.

y louer des maisons, des magasins et des boutiques pour leurs affaires, et ils ne seront soumis, sous aucun nom ou prétexte, à un impôt quelconque auquel ne seraient point soumis les sujets des nations les plus favorisées.

Liberty to Possess Lands, Houses, &c.

Il est bien entendu que si la Haute Cour d'Iran accordait aux sujets d'une nation étrangère le droit d'acquérir et de posséder en Perse des terres, maisons, magasins ou autres immeubles, ce même droit sera aussi accordé aux sujets de l'Empire d'Allemagne.

Submission to the Laws.

Les marchands des deux nations qui voudraient faire le commerce intérieur dans les deux pays, seront soumis quant à ce commerce, aux lois du pays où ce commerce se fait.

Customs Duties, Imports, and Exports.

ART. VII. Les sujets de l'Empire Allemand qui importeraient des marchandises en Perse ou en exporteraient seront traités, à l'égard des droits de douane, sur le même pied que les sujets des nations les plus favorisées.

Pareillement les sujets Persans qui importeraient des marchandises en Allemagne ou en exporteraient seront traités à l'égard des droits de douane et impôts sur le même pied que les sujets des nations les plus favorisées.

Liberty to Merchant Ships of either Country to enter Rivers, Ports, &c., of the other.

ART. VIII. Il sera permis aux bâtiments de commerce de chacune des Hautes Parties Contractantes, soit chargés soit sur lest, de fréquenter librement dans les Etats respectifs, toutes les baies et rivières ainsi que tous les portes, rades et ancrages ouverts par le Gouvernement territorial au commerce maritime. Cette liberté comprendra pour les navires et les sujets des Hautes Parties Contractantes la faculté de faire le commerce d'importation et d'exportation dans la même étendu que les navires et les sujets des nations les plus favorisées, ainsi que la

faculté de se livrer à toutes les opérations commerciales dont l'exercice est permis, en vertu des lois en vigueur, dans les pays respectifs ; les bâtiments de commerce et les sujets respectifs seront en tout point traités à cet égard sur le même pied que les navires et les sujets des nations les plus favorisées.

Port, Tonnage, Lighthouse, Pilotage, and other Dues.

ART. IX. Les bâtiments de l'une des Hautes Parties Contractantes qui arrivent soit sur lest soit chargés de quelque pays que ce soit, dans les ports de l'autre seront traités tant à leur entrée qu'à leur sortie sur le même pied que les bâtiments des nations les plus favorisées par rapport aux droits de port, de tonnage, de fanaux et de pilotage, ainsi qu'à tout autre droit ou charge de quelque espèce ou dénomination que ce soit revenant à la Couronne, aux villes ou à des établissements particuliers quelconques.

Wrecks and Salvage.

ART. X. Relativement aux cas de naufrage les Hautes Parties Contractantes s'engagent à prendre les dispositions nécessaires pour qu'il soit voué au sauvetage de leurs navires respectifs échoués sur les côtes de l'une ou de l'autre, ainsi qu'à des personnes et des objets de tout genre, qui se trouveront à leur bord, les mêmes soins qu'en pareille circonstance seraient apportés au sauvetage des bâtiments de la nation la plus favorisée. Elles s'engagent également à veiller à ce que les débris du navire naufragé, les papiers du bord, les espèces, effets, utensiles et autres objets de valeur soient mis sous bonne garde ainsi que cela se pratique à l'égard des navires naufragés des Puissances les plus favorisées, à ce qu'il soit donné connaissance du fait au Gouvernement intéressé par l'organe de son Consul ou Agent commercial le plus rapproché ou par toute autre voie en mettant le tout à sa disposition de la manière la plus convenable et enfin à ce que tous les objets sauvés ou bien le prix de leur vente, dans le cas où celli-ci aurait du s'effectuer, soient fidèlement remis aux propriétaires ou à leurs fondés de pouvoirs ou bien à défaut des uns et des autres à la charge du Consul ou Agent de Gouvernement intéressé.

Inviolability of Domicile.

ART. XI. Les officiers, employés ou sujets de la Haute Cour d'Iran ne pourront entrer de force dans le domicile d'un Allemand, ni dans ses magasins ou boutiques ; en cas de nécessité il faudra en prévenir l'Agent Diplomatique ou le Consul duquel cet individu relèvera, et toute perquisition domiciliaire ne pourra se faire qu'en présence des Commissaires Délégués par le dit Agent ou Consul. Dans les localités où il n'y a pas d'Agent ou Consul les sujets de l'Empire d'Allemagne seront traités à cet égard sur le même pied que le sont les sujets des

nations les plus favorisées dans les endroits où il n'y a pas d'Agent ou Consul de leur Gouvernement.

Contracts.

ART. XII. Tous les contrats et autres engagements des sujets des Hautes Parties Contractantes par rapport aux affaires de commerce seront fidèlement maintenus et protégés avec la plus grande exactitude par les Gouvernements respectifs.

Bills of Exchange.

Pour mieux veiller à la sûreté des sujets des Etats de l'Empire d'Allemagne en Perse, les billets de créance, lettres de change et lettres de garantie ainsi que tous les contrats faits par des sujets des Hautes Parties Contractantes relativement à des affaires de commerce, devront être signés par le Divan-Khané et à défaut de celui-ci par l'autorité locale compétente, et dans les endroits où il y aurait un Consul d'Allemagne, aussi par ce dernier, afin qu'en cas de quelque différent on puisse faire les recherches nécessaires et décider ces affaires litigieuses conformément à la justice ;

Legalization of Documents.

En conséquence celui qui sans être muni des documents ainsi légalisés voudrait intenter un procès à un sujet Allemand en ne produisant d'autres preuves que les déclarations d'un témoin, ne sera point écouté quant à sa demande, à moins que celle-ci ne soit reconnue valable par le dit sujet Allemand.

Treatment of Persians in Germany.

L'Empire d'Allemagne veillera également à la sûreté des sujets Persans en Allemagne conformément aux lois et aux usages établis et les traitera à cet égard sur le pied des nations les plus favorisées.

German Diplomatic and Consular Jurisdiction in Persia. Trial of Suits and Disputes between German Subjects.

ART. XIII. Toutes les contestations ou disputes et tous les procès qui s'élèveraient entre des Allemands en Perse seront examinés et jugés par les Représentants respectifs près la Haute Cour d'Iran, ou par les Consuls desquels ils relèveront ou les plus rapprochés de leur domicile conformément aux lois de leur pays sans que l'autorité locale y puisse opposer le moindre empêchement ou la moindre difficulté.

Jurisdiction. Suits and Disputes between Germans and Subjects of Foreign Nations.

Les procès, contestations et disputes qui s'élèveraient en Perse entre des Allemands et des sujets appartenant à d'autres nations étrangères seront jugés exclusivement par l'intermédiaire de leurs Agents ou Consuls.

Jurisdiction. Suits and Disputes between Germans and Persians.

Toutes les contestations ou disputes et tous les procès qui s'élèveraient en Perse entre les sujets des deux Hautes Parties Contractantes seront jugés devant les tribunaux Persans, mais ces différends et procès ne pourront être décidés ou jugés qu'en présence et avec l'intervention du Représentant ou du Consul Allemand, ou, au nom de celui-ci, en présence du Drogman qui en sera employé à cet effet, le tout conformément aux lois et aux coutumes du pays.

Le procès une fois terminé par la sentence du juge compétent ne pourra plus être repris une seconde fois, mais si la nécessité exigeait la révision du jugement prononcé, celle-ci ne pourra se faire qu'avec l'avis du Représentant ou Consul duquel les sujets Allemands, dont il s'agira, relèvent ou au nom de cet Agent en présence du Drogman respectif, et seulement devant une des Cours Suprêmes de Contrôle et de Cassation qui siégent à Téhéran, à Tauris ou à Ispahan.

Protection of Persian Interests and Rights in Germany. Intervention of Persian Diplomatic or Consular Agents.

En réciprocité de ces engagements, les sujets de la Haute Cour d'Iran jouiront dans les Etats de l'Empire d'Allemagne pour leurs intérêts et leurs droits acquis, en cas de contestations, de la pleine protection des lois et des tribunaux de ces Etats, de la même manière que les sujets nationaux et ceux d'autres Puissances étrangères; et les Représentants, Consuls et Agents de la Haute Cour d'Iran y jouiront, quant à une intervention de leur part en faveur de leurs nationaux auprès des autorités de ces Etats, de la faculté qui y est accordée aux Agents Diplomatiques et Consuls des nations les plus favorisées.

Bankruptcies.

ART. XIV. Si un sujet de l'une des deux Hautes Parties Contractantes résidant dans les domaines de l'autre, se déclare en état de faillite ou fait banqueroute, on dressera l'inventaire de tous ses biens, de ses effets et de ses comptes actifs et passifs pour en faire la liquidation requise et la juste répartition entre ses créanciers.

En cas qu'un Allemand résidant ou se trouvant en Perse se déclare en État de faillite, la procédure susmentionnée ne sera effectuée que de l'avis et par l'intervention du Représentant ou

Consul respectif, résidant à l'endroit le plus rapproché du lieu de séjour du banqueroutier.

Si un sujet Persan fait faillite en Allemagne il sera accordé dans la procédure de faillite au Représentant ou Consul Persan le même droit d'intervention dont jouissent en pareil cas les Représentants ou Consuls de la nation la plus favorisée.

Sur la demande faite par les créanciers, les Agents Diplomatiques ou Consulaires respectifs des Puissances Contractantes provoqueront les recherches nécessaires pour constater si le failli n'a pas laissé dans sa patrie des biens qui pourraient satisfaire à leurs réclamations.

Succession to Property of Deceased Subjects.

ART. XV. En cas de décès de l'un de leurs sujets respectifs sur le territoire de l'une ou de l'autre des Hautes Parties Contractantes, sa succession sera remise intégralement à la famille ou aux associés du défunt, s'il en a. Si le défunt n'avait ni parents ni associés, sa succession dans les pays des Hautes Parties Contractantes, sera remise intégralement à la garde des Agents ou des Consuls respectifs, pour que ceux-ci en fassent l'usage convenable conformément aux lois et coutumes de leur pays.

Criminal Jurisdiction.

ART. XVI. Quant aux affaires de la juridiction criminelle, dans lesquelles seraient compromis des sujets Allemands en Perse ou des sujets Persans en Allemagne elles seront jugées dans les Etats respectifs suivant le mode qui y est adopté à l'égard de la nation la plus favorisée.

Naturalization.

ART. XVII. Le Gouvernement Impérial d'Allemagne s'engage à n'accorder à aucun sujet Persan des lettres de naturalisation qu'à la condition expresse du consentement préalable du Gouvernement Persan s'engage aussi de son côté à n'accorder des lettres de naturalisation à aucun sujet du dit Empire Allemand sans le consentement préalable du Gouvernement de celui-ci.

Non-interruption of Friendly Relations, in case of War with other Powers.

ART. XVIII. En cas de guerre de l'une des Puissances Contractantes avec une autre Puissance, il ne sera porté pour cette seule cause, atteinte, préjudice ou altération à la bonne intelligence et à l'amitié sincère qui doivent exister à jamais entre les Hautes Puissances Contractantes.

Employment of Good Offices.

Pour le cas où la Perse serait impliquée dans un différend avec une autre Puissance, le Gouvernement d'Allemagne se déclare prêt à employer, sur la demande du Gouvernement de Sa Majesté Impériale le Shah ses bons offices pour contribuer à applanir le différend.

Duration of Treaty.

ART. XIX.* Le présent Traité restera en vigueur à dater du jour de sa signature jusqu'à l'expiration de 12 mois après que l'une des Hautes Parties Contractantes aura annoncé à l'autre l'intention d'en faire cesser les effets.

Modifications of Treaty.

Toutefois les deux Hautes Parties Contractantes se réservent la faculté d'introduire, d'un commun accord dans le présent Traité toutes modifications qui ne seraient point en opposition avec son esprit ou ses principes et dont l'utilité serait démontrée par l'expérience.

Application of Treaty to Grand Duchy of Luxemburg.

ART. XX. Les dispositions du présent Traité sont applicables également au Grand Duché de Luxembourg, tant qu'il sera compris dans le système de Douane et d'impôts Allemands.

Execution of Treaty by Public Officials.

ART. XXI. Les gouverneurs, commandants, douaniers, officiers et autres employés des Hautes Puissances Contractantes seront chargés de remplir les stipulations de ce Traité avec toute l'exactitude possible et sans y porter la moindre atteinte.

Ratifications.

Le présent Traité sera ratifié et les ratifications en seront échangées à St. Pétersbourg dans l'espace de 3 mois ou plus-tôt si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs des Hautes Parties Contractantes ont signé le présent Traité et y ont appôsé le sceau de leurs armes.

Fait à St. Pétersbourg ce 11 Juin, 1873, en 4 expéditions dont deux en Français et deux en Persan.*

Le 15 Rabi-oul-Sani l'an 1290 de l'hègire.

(L.S.) H. VII. P. REUSS.
(L.S.) ABDULRAHIM.

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* See Additional Act, 6th June, 1873, page 93

ACTE ADDITIONNEL au Traité d'Amitié, de Commerce, et de Navigation, conclu entre l'Allemagne et la Perse.—Signé à Berlin, le 6 Juin, 1873.*

UN Traité d'Amitié, de Commerce et de Navigation ayant été conclu à St. Pétersbourg entre Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, d'une part, et Sa Majesté l'Empereur de Perse, d'autre part, traité dont l'Article XIX porte:

Duration of Treaty. (*For* 10 *years from Exchange of Ratifications, and then terminable after* 12 *months' notice.*) *Modifications.*

Le présent Traité restera en vigueur à dater du jour de sa signature jusqu'à l'expiration de 12 mois après que l'une des Hautes Parties Contractantes aura annoncé à l'autre l'intention d'en faire cesser les effets.

Toutefois les deux Hautes Parties Contractantes se réservent la faculté d'introduire, d'un common accord dans le présent Traité toutes modifications qui ne seraient point en opposition avec son esprit ou ses principes et dont l'utilité serait démontrée par l'expérience.

Et les Hautes Parties Contractantes ayant l'intention de donner à ce Traité une durée de 10 ans au moins, les Soussignés sont convenus à déclarer que leurs Gouvernements respectifs s'engagent à ne pas exercer le droit de dénoncer le Traité susmentionné pendant les 10 ans qui suivront l'échange des ratifications de ce Traité.

En foi de quoi les Soussignés ont dressé le présent Acte additionnel dont les ratifications seront échangées en même temps, que les ratifications du Traité précité et l'ont signé en double expédition.

Fait à Berlin le 6 Juin, 1873.

(L.S.) DE BISMARCK.
(L.S.) MIRZA HUSSEIN KHAN.

* The 11th and 6th June, 1873, respectively are the dates given to the Treaty and to the Additional Act, as published in the German "Reichs-Gesetzblatt" and in the "Journal de St. Pétersbourg."

TRAITE d'Amitié, de Commerce, et de Navigation entre la Grèce et la Perse.—Conclu à Constantinople, le $\frac{16}{28}$ Octobre, 1861.*†

[Ratifications échangées à Constantinople, le 11 Mars, 1862.]

TABLE OF CONTENTS.

Art.
I. Friendship.
II. Reception and Treatment of Diplomatic Agents.
III. Rights of Subjects of either Country to have access to, and to pass through, the Territories of the other. Passports.
IV. Treatment of Merchants and Travellers. Most-Favoured-Nation Treatment. Right to Import, Export, and Transport Merchandize, &c. Right to Hire Houses, Warehouses, and Shops; Taxes. Privileges, &c., granted to a third Power to be conceded by either country to the other on the concession of an equivalent. Submission to Laws relating to Internal Trade. Inviolability of Domicile.
V. Import and Export Duties; Taxes.
VI. Duties, &c., on Vessels. Duties on Merchandize Imported or Exported in Vessels of either country.
VII. Wrecks.
VIII. Appointment of Consuls at certain places in either country. Consular Privileges. Inviolability of Consular Domicile. Non-protection of Persians not employed by Greek Mission or Consulates. Position of Consular Officers engaged in Trade. Employment of Dragomans and Guards.
IX. Jurisdiction. Civil Suits in Persia between Greeks, or between Greeks and other Foreigners. Civil Suits in Greece between Persians, or between Persians and Foreigners. Civil Suits between Greeks and Persians. Criminal Jurisdiction. Disposal of Property of Deceased Subjects.
X. Non-interruption of Friendly Relations in case of War with other Powers.
XI. Duration of Treaty. Ratifications.
Protection of Natives. Interpretation of Article VIII.

Au nom de Dieu clément et miséricordieux!

SA Haute Majesté Othon I, Roi de Grèce, le Monarque illustre et libéral, et Sa Majesté, dont l'étendard est le Soleil, l'Auguste, le Grand Monarque, l'Empereur de toute la Perse, l'un et l'autre également et sincèrement désireux d'établir des rapports d'amitié entre les deux États, ont voulu les consolider par un Traité d'Amitié, de Commerce et de Navigation, réciproquement avantageux et utile aux sujets des deux Hautes Parties Contractantes.

A cet effet, ont désigné pour leurs Plénipotentiaires:

Sa Majesté le Roi de Grèce, son Excellence le Sieur Mare Renieri, son Envoyé Extraordinaire et Ministre Plénipotentiaire près la Sublime Porte Ottomane, &c.;

Et Sa Majesté l'Empereur de toute la Perse, son Excellence Hadji-Mirza-Houssein-Khan, son Envoyé Extraordinaire et Ministre Plénipotentiaire près la Sublime Porte Ottomane, &c.

Et les deux Plénipotentiaires, réunis à Constantinople, ayant échangé leurs pleins pouvoirs, et les ayant trouvés en bonne et due forme, ont arrêté les Articles suivants:

* Signed also in the Greek language.
† From "State Papers," Vol. 51, p. 533.

Friendship.

ART. I. Il y aura, désormais, amitié sincère et une constante bonne intelligence entre l'auguste Royaume de Grèce et les sujets de ce Royaume et l'auguste Empire de Perse et les sujets de cet Empire.

Reception and Treatment of Diplomatic Agents.

ART II. Les Envoyés ou Agents Diplomatiques qu'il plairait à chacune des deux Hautes Puissances Contractantes d'envoyer et d'entretenir près de l'autre, y seront reçus et traités, eux et tout le personnel de la Mission, comme sont reçus et traités par cet Etat les Envoyés ou Agents Diplomatiques des autres Puissances amies les plus favorisées, et ils y jouiront, de tous points, des mêmes honneurs, immunités et priviléges.

Right of Subjects of either Country to have Access to, and to Pass through the Territories of the other. Passports.

ART. III. Les sujets des deux Hautes Parties Contractantes pourront désormais parcourir, en pleine liberté, les territoires respectifs, et les traverser pour se rendre dans les pays voisins, sans qu'ils en soient empêchés par les autorités locales, qui, de leur côté, mettront la plus vive sollicitude à les préserver de tout désagrément, en veillant continuellement à leur sûreté personnelle, en les traitant avec tous les égards possibles, afin qu'ils n'éprouvent ni dommage, ni entrave ou vexation quelconque dans leur voyage, et en les munissant, à cet effet, de sauf-conduits, firmans, ou autres documents.

Treatment of Merchants and Travellers. Most-Favoured-Nation Treatment.

ART. IV. Les sujets des deux Hautes Cours qui, en leur qualité de commerçants, industriels ou voyageurs, se rendraient sur les territoires respectifs pour leurs affaires, y seront accueillis et traités, dès leur entrée jusqu'à leur sortie, avec les mêmes égards et sur le même pied que les sujets des nations les plus favorisées.

Right to Import, Export, and Transport Merchandize.

En conséquence, les sujets des deux Hautes Parties Contractantes pourront, soit par terre soit par mer, librement importer dans les pays respectifs, en exporter ou y transporter des marchandises, et exercer le commerce dans toute l'étendue des deux Empires, conformément aux règlements et aux lois en vigueur dans le pays respectifs;

Right to Hire Houses, Warehouses, and Shops. Taxes.

y louer des maisons, des magasins et des boutiques pour

leurs affaires, et ils ne seront soumis, sous aucun nom ou prétexte, à un impôt quelconque auquel ne seraient point soumis les sujets des nations les plus favorisées.

Privileges, &c., granted to a third Power to be conceded by either Country to the other on the concession of an equivalent.

Il est bien entendu que tout avantage, droit ou privilége que les deux Hautes Parties Contractantes accorderont à une nation tierce, ce même avantage, droit ou privilége sera aussi accordé aux sujets des deux Etats respectifs, sauf les avantages que l'une des Parties Contractantes accorderait sur l'assurance d'avantages particuliers. Il est entendu pourtant que chacune des Hautes Parties Contractantes est en droit de demander ces mêmes avantages sur la concession d'un équivalent, à condition que cet équivalent soit de nature à être agréé et accepté par l'autre partie.

Submission to Laws relating to Internal Trade.

Les sujets des deux Hautes Parties Contractantes qui voudraient faire le commerce intérieur dans les deux pays, seront soumis, quant à ce commerce, aux lois du pays où ce commerce se fait.

Inviolability of Domicile.

Les officiers, employés ou sujets de la Haute Cour d'Iran ne pourront entrer de force dans le domicile d'un sujet Grec, ni dans ses magasins ou boutiques, et, en cas de nécessité, il faudra en prévenir l'Agent Diplomatique ou le Consul de Grèce, là où il y en a, qui, de leur côté, s'empresseront de se conformer à la demande de l'autorité locale, et toute perquisition domiciliaire ne pourra se faire qu'en présence des commissaires délégués par le dit Agent ou Consul.

Dans les localités où il n'y a pas d'Agent ou Consul de Grèce, les sujets de cette Puissance seront traités, à cet égard, sur le même pied que le sont les sujets des nations les plus favorisées, dans les endroits où il n'y a pas d'Agent ou Consul de leur Gouvernement.

Import and Export Duties. Taxes.

ART. V. Les sujets Grecs qui importeraient des marchandises en Perse ou en exporteraient, seront traités, à l'égard des droits de douane, sur le même pied que les sujets des nations Chrétiennes les plus favorisées.

Pareillement, les sujets Persans qui importeraient des marchandises dans les Etats du Royaume de Grèce ou en exporteraient, seront traités, à l'égard des droits de douane et impôts, sur le même pied que les sujets des nations les plus favorisées.

Duties, &c., on Vessels.

ART. VI. Les bâtiments de commerce qui entreront et séjourneront dans les ports de l'un ou de l'autre Etat, qu'ils soient sur l'est ou chargés de marchandises, jouiront, dès leur arrivée jusqu'à leur départ, de tous les égards et priviléges, et ne seront assujettis à d'autres ni à de plus forts droits que ceux acquittés par les navires des nations les plus favorisées.

Duties on Merchandize Imported or Exported in Vessels of either Country.

Les merchandises et produits de toute espèce, sans distinction de leur provenance ni de leur destination, qui seraient importés ou exportés par les navires respectifs des deux Hautes Parties Contractantes, paieront, dans l'un et l'autre Etat, les mêmes droits de douane que paient les navires de commerce des Puissances Chrétiennes les plus favorisées, soit à l'entrée des marchandises et produits dans les Etats respectifs, soit à leur sortie.

Wrecks.

ART. VII. S'il arrive que quelque navire Hellène ou Persan fasse naufrage dans les ports ou sur les côtes des territoires respectifs, tout secours possible lui sera donné de la même manière qu'aux navires des Puissances les plus favorisées.

Appointment of Consuls, at certain places in either Country.

ART. VIII. Pour la protection de leurs sujets et de leur commerce respectifs, et pour faciliter de bonnes et équitables relationes entre les sujets des deux Etats, les deux Hautes Contractantes se réservent la faculté de nommer chacune 3 Consuls.

Les Consuls de Perse résideront à Athènes, Syra et un autre port de la Grèce, à désigner plus tard.

Les Consuls de Grèce résideront à Téhéran, Tabris et dans un port situé sur le Golfe Persique, à désigner plus tard.

Consular Privileges.

Les Consuls des deux pays jouiront, tant pour leur personne et l'exercice de leurs fonctions que pour leurs maisons, les employés de leurs Consulates et les personnes attachées à leur service, des mêmes honneurs et des mêmes priviléges dont jouissent les Consuls du même rang et les Agents commerciaux des nations les plus favorisées.

Inviolability of Consular Domicile.

En cas de désordres publics, il devra être accordé aux Consuls, sur leur demande, une sauvegarde chargée d'assurer l'inviolabilité du domicile consulaire.

Non-Protection of Persians not employed by Greek Mission or Consulates.

Les Agents Diplomatiques et Consuls de Grèce ne devront pas protéger, ni en secret ni publiquement, aucun sujet Persan qui ne serait pas employé par le Mission Royale, ou par les Consuls-Généraux, Consuls, Vice-Consuls ou Agents Consulaires de la Grèce.*

Position of Consular Officers engaged in Trade.

Il est bien entendu que, si un Consul, Vice-Consul ou Agent Consulaire de la Grèce, en Perse, s'engageait dans des affaires commerciales, il serait soumis en ce qui concerne son commerce, aux mêmes lois et usages que les particuliers de sa nation.

Employment of Dragomans and Guards.

Les Ministres et les Consuls des deux Hautes Parties Contractantes se serviront de tels drogmans et employeront pour le service de leur maison tel huissier et gens qu'ils voudraient, sans distinction de nationalité ; mais s'il arrive qu'un ou plusieurs employés ou gens de service soient d'une conduite déréglée, le Ministre ou le Consul auprès duquel ils se trouvent, doit le congédier à la demande de l'autorité locale compétente, si cet employé ou gens de service relèvent de cette autorité.

Jurisdiction. Civil Suits in Persia between Greeks, or between Greeks and other Foreigners.

ART. IX. Les procès, contestations et disputes qui s'élèveraient, dans l'Empire de Perse, entre sujets Hellènes, ou Hellènes et étrangers,

Jurisdiction. Civil Suits in Greece between Persians, or between Persians and Foreigners.

ou, dans le Royaume de Grèce, entre sujets Persans, ou Persans et étrangers, seront jugés selon le mode adopté dans chacun de ces Etats à l'égard des sujets des Puissances les plus favorisées.

Jurisdiction. Civil Suits in Persia between Greeks and Persians.

Les procès, contestations et disputes qui seraient soulevés, en Perse, entre des sujets Grecs et des sujets Persans, seront portés devant les tribunaux Persans ; mais ces différends et procès ne pourront être discutés et jugés qu'en présence de l'Agent Diplomatique ou Consulaire Hellénique, où, au nom de celui-ci, en présence du Drogman Hellénique, le tout conformément à ce qui se pratique à l'égard des nations les plus favorisées.

* See interpretation of this Article, page 100.

Criminal Jurisdiction.

Quant aux affaires de la juridiction criminelle, dans lesquelles seraient compris des sujets Grecs en Perse, ou des sujets Persans en Grèce, elles seront instruites et jugées, en Grèce et en Perse, suivant la loi adoptée dans les deux pays envers les étrangers les plus favorisés.

Disposal of Property of Deceased Subjects.

En cas de décès d'un de leurs sujets respectifs sur le territoire de l'un ou de l'autre Etat, sa succession sera remise intégralement à la garde de l'Agent ou du Consul de la nation du sujet décédé, pour que celui-ci en fasse l'usage convenable, conformément aux lois et coutumes de son pays.

Non-Interruption of Friendly Relations in case of War with other Powers.

ART. X. En cas de guerre de l'une des deux Parties Contractantes avec une autre Puissance, il ne sera porté, pour cette seule cause, atteinte, préjudice ou altération à la bonne intelligence et à l'amitié sincère qui doivent exister à jamais entre les Hautes Cours de Grèce et d'Iran.

Duration of Treaty. (*Till* 11*th March*, 1874; *then terminable after* 12 *months' notice.*)

ART. XI. Le Traité d'Amitié et de Commerce qui a été conclu en considération de la sincère amitié et confiance qui règnent entre les deux Etats de Grèce et de Perse, sera avec l'aide de Dieu, fidèlement observé et maintenu de part et d'autre pendant 12 ans, à dater du jour de l'échange des ratifications;* et si, 12 mois avant l'expiration de ce terme, l'une ou l'autre des Hautes Parties Contractantes n'avait pas annoncé à l'autre, par une notification officielle, son intention d'en faire cesser les effets, ce Traité demeurera en vigueur une année au délà, et ainsi de suite jusqu'à l'expiration des 12 mois qui suivront une pareille notification, à quelque époque qu'elle ait lieu.

Ratifications.

Les Plénipotentiaires des Hautes Parties Contractantes s'engagent à échanger les ratifications de leurs Souverains à Constantinople, dans l'espace de 3 mois, ou plus tôt si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs des deux Hautes Parties Contractantes ont signé le présent Traité et y ont apposé leurs sceaux.

Fait en double, en Persan et en Français, le $\frac{16}{28}$ Octobre, 1861 (le 24 du mois Rebi-oul-akhir de l'Hégire, l'année 1278) à Constantinople.

(L.S.) M. RENIERI.
(L.S.) MIRZA HOUSSEIN KHAN.

* 11th March, 1862.

Protection of Natives. Interpretation of Art. VIII.

Les Soussignés, munis de pleins pouvoirs de leurs Gouvernements respectifs à l'effet de négocier et signer un Traité d'Amitié, de Commerce et de Navigation entre les Etats de Grèce et de Perse, entendent, d'un commun accord, sur la portée de l'Alinéa 6 de l'Article VIII du Traité signé en ce jour, que cet alinéa ne peut, en aucune manière, accorder aux Ministres, aux Consuls-Généraux, aux Vice-Consuls ou aux Agents Consulaires de l'une des Hautes Parties Contractantes le droit de protéger, comme étant leurs employés, des sujets de l'autre partie en nombre supérieur à celui que les Traités antérieurs ont accordé à la nation la plus favorisée.

La présente interprétation est signée en double; les Plenipotentiaires la transmettront à leurs Gouvernements respectifs, afin que, par l'échange des ratifications, cette interprétation acquière et possède la même valeur que si elle était insérée dans le texte même du Traité signé en ce jour.

Fait double à Constantinople le $\frac{16}{28}$ Octobre, 1861 (24 Rebioul-Akhir, 1278).

(L.S.) M. RENIERI.
(L.S.) MIRZA HOUSSEIN KHAN.

TRAITE *d'Amitié, de Commerce, et de Navigation, entre l'Italie et le Perse.—Signé à Téhéran, le* 24, 29 *Septembre*, 1862.*

[Ratifications échangées à Paris, le 15 Décembre, 1862.]

TABLE OF CONTENTS.

Art.
I. Friendship.
II. Reception of Diplomatic Agents.
III. Treatment of Merchants and Travellers. Most-Favoured-Nation Treatment. Right to Import and Export Merchandize, &c. Submission to the Laws relating to Internal Trade.
IV. Import and Export Duties.
V. Jurisdiction. Civil Suits between Italians in Persia. Civil Suits in Persia between Italians and Persians. Civil Suits in Persia between Italians and other Foreigners. Civil Suits between Persians in Italy. Criminal Jurisdiction.
VI. Disposal of Property of Deceased Subjects.
VII. Appointment of Consuls at certain places in either country. Consular Privileges. Non-protection of Natives by Diplomatic or Consular Agents. Position of Consuls engaged in Trade.
VIII. Duration of Treaty. Ratifications.

Add. Arts. Silkworms' Eggs and Cocoons. Appointment of Consuls.

Au nom de Dieu clément et miséricordieux!

SA Majesté le Roi d'Italie, et Sa Majesté dont l'étendard est le Soleil, le Sacré, l'Auguste, le Grand Monarque, le Roi des Rois, le Souverain absolu de tous les Etats de Perse;

* From "State Papers," Vol. 57, page 318.

L'un et l'autre, également et sincèrement désireux d'établir des rapports d'amitié entre les deux Etats, ont voulu les consolider par un Traité d'Amitié et de Commerce réciproquement avantageux et utile aux sujets des deux Hautes Puissances Contractantes, et à cet effet ont désigné pour Plénipotentiaires:

Sa Majesté le Roi d'Italie, le Sieur Marcel Cerruti, son Ministre en mission extraordinaire, &c.;

Et Sa Majesté l'Empereur de toute la Perse, son Excellence Mirza Said Khan, Ministre des Affaires Etrangères, Secrétaire d'Etat, &c.;

Et les deux Plénipotentiaires s'étant réunis à Teheran, ayant échangé leurs pleins pouvoirs, et les ayant trouvés en bonne et due forme, ont arrêté les Articles suivants:

Friendship.

ART. I. Il y aura amitié sincère et une constante bonne intelligence entre le Royaume d'Italie et tous les sujets Italiens, et l'Empire de Perse et tous les sujets Persans.

Reception of Diplomatic Agents.

ART. II. Les Ambassadeurs ou Ministres Plénipotentiaires qu'il plairait à chacun des deux Hautes Puissances Contractantes d'envoyer ou d'entretenir auprès de l'autre, seront reçus et traités dans les deux pays respectifs, eux et tout le personnel de leur mission, comme sont reçus et traités les Ambassadeurs ou Ministres Plénipotentiaires des nations les plus favorisées, et ils y jouiront de tout point des mêmes prérogatives et immunités.

Treatment of Merchants and Travellers. Most-Favoured-Nation Treatment.

ART. III. Les sujets des deux Hautes Parties Contractantes, voyageurs, négociants, industriels, et autres, soit qu'ils se déplacent, soit qu'ils résident sur le territoire de l'un ou de l'autre Etat, seront respectés et efficacement protégés par les autorités du pays et leurs propres Agents, et traités à tous égards comme le sont les sujets de la nation la plus favorisée.

Right to Import and Export Merchandize, &c.

Ils pourront réciproquement apporter par terre et par mer dans l'un et l'autre Etat, et en exporter tout espèce de marchandises et de produits, les vendre, les échanger, les acheter, les transporter en tous lieux sur le territoire de l'un et de l'autre Etat.

Submission to Laws relating to Internal Trade.

Mais il est bien entendu que les sujets de l'un et de l'autre Etat, qui se livreraient au commerce intérieur, seront soumis aux lois du pays ou ils font de commerce.

Import and Export Duties.

ART. IV. Les marchandises importées ou exportées par les sujets respectifs des deux Hautes Parties Contractantes, ne paieront dans l'un et dans l'autre Etat, soit à l'entrée, soit à la sortie, dans l'un et dans l'autre Etat, les marchandises et produits importés et exportés par les marchands et sujets de la nation la plus favorisée; et nulle taxe exceptionelle ne pourra, sous aucun nom et sous aucun prétexte, être réclamée dans l'un comme dans l'autre Etat.

Jurisdiction. Civil Suits between Italians in Persia.

ART. V. Les procès, contestations, et disputes qui dans l'Empire de Perse viendraient à s'élever entre sujets Italiens, seront référés en totalité à l'arrêt et à la décision de l'Agent ou Consul Italien qui résidera dans la province où ces procès, contestations, et disputes auraient été soulevés, ou dans la province la plus voisine. Il en décidera d'après les lois Italiennes.

Jurisdiction. Civil Suits in Persia between Italians and Persians.

Les procès, contestations, et disputes soulevés en Perse entre des sujets Italiens et des sujets Persans, seront portés devant le tribunal Persan, juge ordinaire de ces matières, au lieu où résidéra un Agent ou un Consul Italien, et discutés et jugés selon l'équité, en présence d'un employé de l'Agent ou Consul Italien.

Jurisdiction. Civil Suits in Persia between Italians and other Foreigners.

Les procès, contestations, et disputes soulevés en Perse entre des sujets Italiens et des sujets appartenant à d'autres Puissances également étrangères, seront jugés et terminés par l'intermédiaire de leurs Agents ou Consuls respectifs.

Jurisdiction. Civil Suits between Persians in Italy.

Dans le Royaume d'Italie les sujets Persans seront également dans toutes leurs contestations, soit entre eux, soit avec des sujets Italiens ou étrangers, jugés suivant le mode adopté dans ce Royaume envers les sujets de la nation la plus favorisée.

Criminal Jurisdiction.

Quant aux affaires de la juridiction criminelle, dans lesquelles seraient compromis des sujets Italiens en Perse, des sujets Persans en Italie, elles seront jugées en Italie et en Perse suivant le mode adopté dans les deux pays envers les sujets de la nation la plus favorisée.

Disposal of Property of Deceased Subjects.

ART. VI. En cas de décès de l'un de leurs sujets respectifs sur le territoire de l'un ou de l'autre Etat, sa succession sera remise intégralement à sa famille ou à ses héritiers et ayant droit, avec l'intervention du Consul de sa nation.

Si le défunt n'avait sur les lieux ni héritier légitime, exécuteur testamentaire, la succession serait dans l'un comme dans l'autre pays remise à la garde de l'Agent ou du Consul de la nation du sujet décédé pour que ledit Agent ou Consul, après avoir acquitté les dettes locales du défunt, en fasse l'usage convenable, conformément aux lois et coûtumes de son pays.

Appointment of Consuls in certain Places in either Country.

ART. VII.* Pour la protection de leurs sujets et de leur commerce respectifs, et pour faciliter des bonnes et équitables relations entre les sujets des 2 Etats, les 2 Hautes Parties Contractantes se réservent la faculté de nommer chacun 3 Consuls. Les Consuls d'Italie résideront à Téhéran, à Bender-Bouchir, et à Tauris; les Consuls de Perse résideront à Turin, à Gênes et à Cagliari.

Consular Privileges.

Les Consuls des 2 Hautes Parties Contractantes jouiront réciproquement sur le territoire de l'un et de l'autre État où sera établie leur résidence, du respect, des priviléges et des immunités accordés dans l'un et l'autre Etat au Consuls de la nation la plus favorisée.

Non-Protection of Natives by Diplomatic or Consular Agents.

Les Agents Diplomatiques et les Consuls Italiens ne protégeront ni publiquement ni secrètement les sujets Persans.

Les Agents Diplomatiques et les Consuls Persans ne protégeront ni publiquement ni secrètement les sujets Italiens.

Position of Consuls engaged in Trade.

Les Consuls des 2 Gouvernements respectifs qui dans l'un ou l'autre pays se livreraient au commerce seront soumis aux mêmes lois et aux mêmes usages auxquels sont soumis leurs nationaux faisant le même commerce.

Duration of Treaty. (*Till 15th December*, 1874; *then terminable after* 12 *months' notice.*)

ART. VIII. Le présent Traité de Commerce et d'Amitié, cimenté par le sincère amitié et la confiance qui règnent entre les Etats bien conservés d'Italie et de Perse, sera, Dieu aidant, fidèlement observé et maintenu, de part et d'autre, pendant 12 ans à dater du jour où les ratifications seront échangées;† mais si une année avant l'expiration du terme fixé, aucune des

* See Add. Article III, 29th September, 1862, page 104.

† 15th December, 1862.

2 Hautes Parties Contractantes n'a annoncé officiellement à l'autre l'intention d'en faire cesser les effets, il continuera à rester en vigueur pour les 2 Parties pendant un an à dater du jour où il aura été denoncé quelle que soit l'époque à laquelle cette déclaration aura lieu.

Ratifications.

Les Plénipotentiaires des 2 Hautes Parties Contractantes s'engagent à échanger les ratifications de leurs Augustes Souverains à Paris dans l'espace de 6 mois, ou plus tôt si faire se peut.

En foi de quoi les 2 Plénipotentiaires respectifs des 2 Hautes Parties Contractantes ont signé le présent Traité et y ont apposé leurs sceaux.

Fait double en Français et en Persan le 24 Septembre, 1862, à Téhéran.

(L.S.) M. CERRUTI.
(L.S.) MIRZA SAID KHAN.

Articles Additionnels, relatif au vente et à l'exportation de la Graine des vers-à-soie et les Cocons, &c., le 29 Septembre, 1862.

Silkworms' Eggs and Cocoons.

ART. I. Le Gouvernement de Sa Majesté Persane s'engage pendant l'espace de 4 ans à autoriser pleinement les sujets Persans à vendre la graine des vers-à-soie et les cocons, et à autoriser aussi l'exportation de ces deux produits par les sujets Italiens, sauf, bien entendu, en faveur du trésor Persan la perception du droit ordinaire de 5 pour cent à la sortie.

ART. II. En cas de dissentiment au sujets des droits de Douane entre les Agents de la Douane et les négociants Italiens ou leurs Agents il ne sera jamais permis de séquestrer, retenir ou apporter des retards quelconques à la sortie des graines des vers-à-soie parcequ'elles pourraient être perdues pas ces causes et leurs conséquences.

On se contentera d'exiger de l'exportateur une caution solide égale au montant de la somme réclamée par les autorités Persanes, et la difficulté pendante sera jugée suivant l'usage à Téhéran par le Gouvernement Persan et la Légation de Sa Majesté Italienne.

Il est évident que les sujets Persans employés par les négociants Italiens seront soumis à la loi Persane.

Appointment of Consuls.

ART. III. Le Gouvernement Persan autorise l'établissement de Consuls ou Agents Consulaires Italiens dans 3 places commerçantes de la Perse: à Tébriz, Bushyr, et Rescht. Ces Agents seront traités sur le même pied que ceux de la Puissance la plus favorisée.

Le Gouvernement Italien s'engage en outre des stipulations contenues dans le Traité à autoriser l'établissement d'un Consul Persan dans une des villes du Royaume d'Italie au choix du Gouvernement Persan et selon qu'il le jugera convenable pour les intérêts des négociants Persans.

ART. IV. Ces Articles Additionnels au Traité signé aujourd'hui seront considérés comme faisant partie du même Traité et seront inclus dans les mêmes ratifications pendant l'espace de 4 années.

Fait en double à Téhéran, aujourd'hui 29 Septembre, 1862 (4 Rebbi us sani 1279 Hégire).

(L.S.) M. CERRUTI.
(L.S.) MIRZA SAID KHAN.

AGREEMENT between Great Britain and Persia, respecting the Boundary between Persia and Kelat (Beloochistan and Mekran). —*1st–4th September*, 1871.

On the 1st September, 1871, the following note was addressed by the British Minister at Tehran (Mr. Alison) to the Persian Minister for Foreign Affairs :—

"The undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of Persia, acting on the part of his Government, has the honour to submit, for the approval of His Majesty the Shah, a map in which the boundary line between the territories possessed in Baluchistan by Persia, and the territories forming the exclusive property of the independent State of Kelat, is delineated.

"This line may be described:—Commencing from the northernmost point, or that which is furthest from the sea, the territory of Kelat is bounded to the west by the large Persian district of Dizzuk, which is composed of many dehs or minor districts, those on the frontier being Jalk and Kallegan. Below these two last named is the small district of Kohuk, which, together with Punjghur, comprising Parum and other dependencies, is on the Kelat side of the frontier, while on the Persian side is Bampusht.

"Below Punjghur, the frontier possessions of Kelat to the sea are Boleida, including Zamiran and other dependencies, Mund and Dusht. Within the Persian line of frontier are the villages or tracts belonging to Sirbaz and Bahu Dustyari. The boundary of Dusht is marked by a long line drawn through the Drabol hill, situated between the Rivers Bahu and Dusht, to the sea in the Bay of Gwuttur.

"To summarize,—Punjghur and Parum, and other dependencies, with Kohuk, Boleida, including Zamiran and other dependencies; Mund, including Tump, Nasserabad, Kedj, and all districts, dehs, and dependencies to the eastward; Dusht,

with its dependencies as far as the sea. These names exhibit the line of actual possession of Kelat, that is to say, all tracts to the east of the frontier of actual Persian possession, which frontier comprises Dizzuk and Bampusht, Sirbaz and Peshin, Bahú and Dustyari."

This note was accepted by the Persian Government in a letter which was addressed by Mirza Saeed Khan to Mr. Alison, on the 4th September, 1871.

"Your Excellency's letter of the 1st instant, together with the map of General Goldsmid, the British Commissioner, respecting the frontier line between the Persian possessions and dependencies in Baluchistan and the Baluchistan dependencies made over to the independent State of Kelat, have been received and have both been submitted to His Majesty the Shah.

"In obedience to His Majesty's orders, I beg, in reply, most respectfully to state that the Persian Government, notwithstanding the clear right which it considered itself to have over Baluchistan, simply out of regard for the wishes of Her Britannic Majesty's Government, that this question should be brought to a satisfactory conclusion by the definition of a boundary line, has hereby accepted your Excellency's letter and the map. The Persian Government now looks forward to the desirable results and important advantages which it expects from the British Government for this great act of compliance and co-operation on the part of Persia, and awaits to see what will emanate from the suitable manner in which the matter will be represented through the good offices of your Excellency, an experienced Minister and a well-wisher, perfectly cognizant of the whole details of the merits of the question."

A request was subsequently preferred by the Persian Government that the small district of Kohuk, lying between the Jalk and Kallegan sub-divisions of the Dizzuk district, and which had been included on the map within the Kelat frontier might be made over by Persia. This was so far agreed to that Her Majesty's Government agreed that the line forming the western boundary of Kelat was drawn to the east of Kohuk, but no opinion was expressed as to the position of the Persian frontier ("Aitchison's Treaties," Vol. 6, page 365).

On the 15th May, 1873, the following amended note was proposed by the British Government to be substituted for that signed and sealed by the late Mr. Alison and the Persian Minister for Foreign Affairs, on the 1st September 1871:—

"As, under the agreement concluded at Tehran on the 1st September, 1871, by the late Charles Alison, Esquire, C.B., Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of Persia, and Mirza Saeed Khan, Minister of Foreign Affairs to His Majesty the Shah of Persia, it was proposed that, for purposes of future reference and identification, an English Officer of Engineers should meet an Officer duly ap-

pointed by the Government of Persia, to lay down the more permanent landmarks and features of the actual line of frontier between Persian Baluchistan and the Kelat State determined by the British Commissioner, Major-General Goldsmid, making a careful survey thereof for record; and as, under the terms of the said agreement, Major St. John, an Officer of the British Royal Engineers, and Mirza Ashraf Ali Khan, a nominee of the Persian Government, both deputed on the aforesaid duty, proceeded to carry out the work required, and returned to Tehran with maps, which maps have been duly submitted for inspection; and as, moreover, the Persian Government have moved Her Britannic Majesty's Government to reconsider the question of the exclusion of the Kohuk District from the Persian, and its inclusion within the Kelat territory ruled by the British Commissioner,—the delineation shown in the accompanying map, explained in the following verbal description of the frontier, is understood on both sides to be correct and binding in substitution of any former drawing, paper, or agreement whatever, as now certified by the undersigned, Her Britannic Majesty's Minister at the Persian Court, acting on the part of his Government, and . . ., Ministerial representative of the Government of the Shah of Persia,—

"Commencing from the northernmost point, or that which is furthest from the sea, the territory of Kelat is bounded generally to the west by the large Persian District of Dizzuk, which is composed of many dehs, or minor districts, those on the frontier being Jalk and Kalegan. But below the two last named, and between Dizzuk and Punjghur, is a tract of land called distinctively Kohuk, but comprising Kohuk, Kunabasta, and Isfunda, with reference to which the line will be drawn so as to include the barren lands of Gurh and Segzi within the limits of Punjghur, these lands thus marking the actual Kelat frontier.

"2. Below Punjghur, the frontier possessions of Kelat to the sea are Boleida, including Zamiran and other dependencies, Mund, and Dusht. Within the Persian line of frontier are the villages or tracts belonging to Sirbaz and Bahu Dastyari. The boundary of Dusht is marked by a long line drawn west of the Draboly Hill, situated between the rivers Bahu and Dusht, to the sea in the Bay of Gwuttur.

"3. To summarize,—Punjghur, including Gurh and Segzi, also Parum and other dependencies; Boleida, including Zamiran and other dependencies; Mund, including Tump; Nasserabad, Kedj, and all districts, dehs, and dependencies to the eastward; Dusht, with its dependencies as far as the sea,—these names exhibit the line of frontier of Kelat, that is to say, all tracts to the east of the frontier of actual Persian possession, which frontier comprises Dizzuk, inclusive of Bampusht, Sirbaz, and Peshin Bahu and Dastyari.

"4. It is, moreover, understood that the Persians assert no claim, right, or title to the tracts north of Punjghur, or on the right bank of the Mashkid river, from Kohuk upwards.

"5. And it is provided that any minor disputes as to doubtful land, water, right of way, &c., &c., which may eventually arise, and cannot be settled by the litigants themselves, shall be referred for decision to the British Political Agent at Gwadur.

"6. The undersigned, on behalf of their respective Governments, exchange congratulations on the happy termination of this troublesome question, and in the consequent removal of those serious causes of trouble and anxiety which disturbed the harmonious relations so desirable to cultivate between the authorities of Great Britain and Persia."

[The Persian Government declined, at this time, to give their formal acceptance of this revised Note; and they have not since done so.]

TRAITE d'Amitié et de Commerce, entre les Pays-Bas et la Perse.—Signé à Paris, le 3 Juillet, 1857.*

[Ratifications échangées, le 30 Janvier, 1858.]

TABLE OF CONTENTS.

Art.
I. Friendship.
II. Reception of Diplomatic Agents.
III. Treatment of Merchants and Travellers. Most-Favoured-Nation Treatment. Right to Import and Export Merchandize, &c. Submission to Laws relating to Internal Trade.
IV. Import and Export Duties; Taxes. Exception in favour of certain Special Privileges granted in Netherland Colonies. Persians to enjoy same Rights as those granted by the Netherlands to British, French, and Ottoman Subjects.
V. Appointment of Consuls at certain places in either country. Consular Privileges. Non-protection of Natives. Position of Consuls engaged in Trade.
VI. Duration of Treaty. Ratifications.

Au nom de Dieu clément et miséricordieux!

SA Majesté Guillaume III, Roi des Pays-Bas, Prince d'Orange-Nassau, Grand Duc de Luxembourg, &c.

Et Sa Majesté Impériale, le Sacré, l'Auguste, le Grand Monarque, le Roi des Rois, le Souverain absolu de tous les Etats de Perse;

L'un et l'autre également en sincèrement désireux d'établir des rapports d'amitié entre les deux Etats, ont voulu les consolider par un Traité d'Amitié et de Commerce réciproquement avantageux et utile aux sujets des deux Hautes Puissances Contractantes.

A cet effet ont désigné pour leurs Plénipotentiaires:

Sa Majesté le Roi des Pays-Bas, le Sieur Léonard Antoine Lightenvelt, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté l'Empereur des Français, &c.

Et Sa Majesté l'Empereur de toute la Perse, son Excellence

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* From "State Papers," Vol. 47, page 514.

Farrokh Khan, Eminol Molk, Son Ambassadeur Extraordinaire près Sa Majesté l'Empereur des Français, &c.

Et les deux Plénipotentiaires s'étant réunis à Paris, ayant échangé leurs pleins pouvoirs, et les ayant trouvés en bonne et due forme, ont arrêté les Articles suivants :

Friendship.

ART. I. A dater de ce jour il y aura amitié sincère et une constante bonne intelligence entre le Royaume des Pays-Bas, ses colonies et possessions d'outre-mer, et tous les sujets Néerlandais, et l'Empire de Perse et tous les sujets Persans.

Reception of Diplomatic Agents.

ART. II. Les Ambassadeurs ou Ministres Plénipotentiaires, qu'il plairait à chacune des deux Hautes Puissances Contractantes d'envoyer et d'entretenir auprès de l'autre, seront reçus et traités, eux et tout le personnel de leur mission, comme sont reçus et traités dans les deux pays respectifs les Ambassadeurs ou Ministres Plénipotentiaires des nations les plus favorisées, et ils y jouiront, de tout point, des mêmes prérogatives et immunités.

Treatment of Merchants and Travellers. Most-Favoured-Nation Treatment.

ART. III. Les sujets des deux Hautes Parties Contractantes, voyageurs, négociants, industriels et autres, soit qu'ils se déplacent, soit qu'ils résident sur le territoire de l'un ou de l'autre Etat, seront respectés et efficacement protégés par les autorités du pays et leurs propres agents, et traités à tous égards comme le sont les sujets de la nation la plus favorisée.

Right to Import, Export, and Transport Merchandize, &c.

Ils pourront réciproquement apporter, par terre et par mer, dans l'un et dans l'autre Etat, et en exporter toute espèce de marchandises et de produits, les vendre, les échanger, les acheter, les transporter en tous lieux sur le territoire de l'un et de l'autre Etat.

Submission to Laws relating to Internal Trade.

Mais il est bien entendu que les sujets de l'un et de l'autre Etat qui se livreraient au commerce intérieur, seront soumis aux lois du pays où ils font le commerce.

Import and Export Duties. Taxes.

ART. IV. Les navires respectifs et les merchandises importées ou exportées par les sujets respectifs des deux Hautes Parties Contractantes, ne payeront dans l'un et l'autre Etat, soit à l'entrée, soit à la sortie, que les mêmes droits que payent à

l'entrée et à la sorties dans l'un et dans l'autre Etat les navires ainsi que les marchandises et produits importés ou exportés par les marchands et sujets de la nation la plus favorisée, et nulle taxe exceptionelle ne pourra, sous aucun nom et sous aucun prétexte, être réclamée dans l'un comme dans l'autre Etat.

Exception in favour of certain Special Privileges granted in Netherland Colonies.

Il est fait exception à cette règle du présent Traité, en ce qui concerne les faveurs spéciales accordées ou à accorder par la suite dans les colonies Néerlandaises des Indes-Orientales aux nations Asiatiques de l'Archipel Oriental, pour l'importation des produits de leur sol et de leur industrie ou pour leur exportation.

Persians to enjoy same Rights as those granted by the Netherlands to British, French, and Ottoman Subjects.

Il est bien entendue que, sous ce rapport même, les sujets Persans seront traités de la méme manière que ceux de la nation la plus favorisée de l'Europe, de l'Amérique ou de l'Asie, par comprise sous la dénomination de nation Asiatique de l'Archipel Oriental, et qu'ils auront nommément les mêmes droits que les sujets de leurs Majestés Britannique, Française et Ottomane.

Appointment of Consuls at certain places in either country.

ART. V. Pour la protection de leurs sujets et de leur commerce respectifs, et pour faciliter les bonnes et équitables relations entre les sujets des deux Etats, les deux Hautes Parties Contractantes se réservent la faculté de nommer chacune trois Consuls.

Les Consuls des Pays-Bas résideront à Téhéran, à Bender Bouchir,* et à Tauris.†

Les Consuls de Perse résideront à Amsterdam, à Rotterdam, et à Batavia.

Consular Privileges.

Les Consuls des deux Hautes Parties Contractantes jouiront réciproquement sur le territoire de l'un et de l'autre Etat où sera établie leur résidence, du respect, des priviléges et immunités accordés dans l'un et dans l'autre pays aux Consuls de la nation la plus favorisée.

Non-Protection of Natives.

Les Agents Diplomatiques et les Consuls des Pays-Bas ne protégeront ni publiquement ni secrètement les sujets Persans.

Les Agents Diplomatiques et les Consuls Persans ne protégeront ni publiquement ni secrètement les sujets des Pays-Bas.

* Bushire. † Tabreez.

Position of Consuls engaged in Trade.

Les Consuls des deux Gouvernements Contractants, qui dans l'un et l'autre Etat se livreraient au commerce, seront soumis aux mêmes lois et aux mêmes usages auxquels sont soumis leurs nationaux faisant le même commerce.

Duration of Treaty. (*Till 30th January*, 1870; *then terminable after* 12 *months' notice.*)

ART. VI. Le présent Traité de Commerce et d'Amitié cimenté par la sincère amitié et la confiance qui règnent entre le Royaume des Pays-Bas et l'Empire de Perse sera, Dieu aidant, fidèlement observé et maintenu de part d'autre pendant douze ans, à dater du jour où les ratifications seront échangées.* Mais si une année avant l'expiration du terme fixé aucune des deux Hautes Parties Contractantes n'a annoncé officiellement à l'autre l'intention d'en faire cesser les effets, il continuera à rester en vigueur pour les deux parties pendant un an à dater du jour où il aura été dénoncé, quelle que soit l'époque à laquelle cette déclaration aura lieu.

Ratifications.

Les Plénipotentiaires des deux Hautes Parties Contractantes s'engagent à échanger les ratifications des leurs Augustes Souverains à Paris ou à Constantinople, dans l'espace de six mois, ou plus tôt si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs des deux Hautes Parties Contractantes ont signé le présent Traité et y ont apposé leurs sceaux.

Fait double à Paris en Français et en Perse, le 3 du mois de Juillet de l'an du Christ 1857.

(L.S.) LIGHTENVELT.
(L.S.) FARROKH KHAN.

* 30th January, 1858.

*TREATY between the Shah of Persia and the Ruler of Oman, respecting the Town and District of Bender-Abbas.—17th November, 1856.**

TABLE OF CONTENTS.

Art.
I. Bender-'Abbas, Kishm, Ormuz, &c.
Bender-'Abbas and Dependencies to form portions of Persian Territory.
II. Conditional Deposition of Ruler.
III. No new Castles to be Erected or Moats to be Dug.
IV. Ceremonial to be observed in event of Governor-General of Fars visiting Bender-'Abbas.
V. Persian Flag to be hoisted at Bender-'Abbas on certain days.
VI. Extent of Jurisdiction of Ruler of Bender-'Abbas.
Assistance to be rendered to Persian Troops proceeding to Beloochistan, &c.
VII. Surrender of Fugitives.
VIII. Annual Revenue to be paid to Rulers.
IX. Properties of Persian Merchants impounded at Kishm to be restored.
X. Dues to be Levied on Commercial Effects introduced into Bender-'Abbas from other parts.

(Translation.)

I take refuge with God from Satan the lapidated.
In the name of God, very compassionate, most compassionate.
O! our Lord God, unto Thee do we apply for assistance; O! Thou most Gracious One!

THIS is a copy of the mutual writing that took place in the (Hijra) year 1272, between His Highness our Lord the Seyyid Sa'id, son of Sultan, son of the Imam 'Ahmed, son of Sa'id, Ruler of 'Uman (Oman) and the (East African) Coasts† ('Es-Sewahil), and His Highness the Shah, the Greatest, Nasiru-'d-Din Shah, Ruler of the mainland of 'Iran (Persia), and this is the text thereof, as it appears.

Bender-'Abbas, Kishm, Ormuz, &c.

I. Condition the First, which is the first Chapter (or, "Article"), and which is that the Ruler of Bender-'Abbas, who is on the part of the 'Imam, possessed of magnificence, the Seyyid Sa'id, over '[in] Bender-'Abbas, and Shemil and Mina, and the two islands 'El-Qishm ("Kishm") and Hurmuz ("Ormuz"), together with the appended territories, is appointed and commissioned, and shall deliver to the Agents of the Exalted Government [of Persia] a document to the following effect, namely:—

Bender-'Abbas and Dependencies to form portions of Persian Territory.

Bender-'Abbas, with all its Dependencies, as well as the appendages of that frontier, is [shall be] placed [accounted] as

* This arrangement was terminated in September, 1868. Bender-'Abbas is now under Persia.

† This means in the local dialect the East Coast of Africa. At that time the Ruler of Oman was also Ruler over the East African possessions at Zanzibar. (J. W. R.)

a portion of the territories of Persia (or, "Fars"), and the Ruler of the whole of that frontier is subject to the exalted Government of 'Iran (Persia).

Conditional Deposition of Ruler.

II. Condition the Second, which is the second Chapter of this mutual writing and which is, that: the said Ruler, when there shall proceed from him a derogatory act in the affair of the frontiers, when upon investigation, a derogatory act shall have proceeded from him, [then], by the mere notification from His Highness the Governor-General (Ferman-ferma, Command-issuer) of Fars to His Highness the Imam, the said Ruler shall be deposed and another appointed speedily.

No new Castles to be erected or Moats to be dug.

III. Condition the Third, which is the third Chapter of this mutual writing, which is, that: in the said sea-port town ("bender") there shall be no new building erected, such as castles or towers; but, if repair be needed, it shall be repaired, and any repeated digging of the moat shall not be, the former castles with the towers being sufficient without erection of new castles or digging of a moat.

Ceremonial to be observed in event of Governor-General of Fars visiting Bender-'Abbas.

IV. Condition the Fourth, which is the fourth Chapter of this mutual writing, which is, that: if at any time His Highness the Governor-General of Fars shall move towards the Territories of Bender-'Abbas in view of relaxation, the Ruler of Bender-'Abbas shall arise and continue at his service like other Rulers of towns [or countries] in the parts requiring services, meeting him with ceremonial honours and respect, and receiving him with the most sacred, most holy attentions and marks of favour.

Persian Flag to be hoisted at Bender-'Abbas on certain days.

V. Condition the Fifth, which is the fifth Chapter of this mutual writing, which is, that: on the days of the Festivals, on Fridays, and on the birthday of the centre of the aspect of the Universe, the very great Shah, on which the flag of the Badshah shall be hoisted in Bender-'Abbas for the sake of a blessing and of joy, there shall also be appointed a sufficient number of workmen to execute this service, so that there be no negligence in this respect.

Extent of Jurisdiction of Ruler of Bender-'Abbas.

VI. Condition the Sixth, which is the sixth Chapter of this mutual writing, which is, that: [in] the villages and parishes which may be in the jurisdiction of the Ruler of Bender-'Abbas,

in a more general sense, of the territory of Fars or Kirman, the Ruler of Bender-'Abbas shall not exercise any control or interference therein.

Assistance to be rendered to Persian Troops proceeding to Beloochistan, &c.

And if it be that troops, on the part of the exalted Government [of Persia], be on their way to the countries of the Bulush (Belooches), or any other parts, passing the frontiers of Bender-'Abbas, then the Rulers who may be [acting] on your part shall give them provisions and a guide for the heaven-assisted [Persian] forces, taking from them a receipt. They shall render them requisite services, as also the subjects (Ri'aya) of Mina and Shemil, and of those parts which, in the space of the last two years, have served the exalted Government in fidelity, and are known to His Highness the most sacred and holy.

From this day forward, the Ruler of Bender-'Abbas shall not turn against them any evidence, or seek to cavil against them on the subject of damage or the like.

Surrender of Fugitives.

VII. Condition the Seventh, the seventh Chapter of this mutual writing, which is, that: if any one of the subjects of Fars should run away and flee to the said frontiers, and join yon, [then,] on the mere indication of his most sacred Highness the Governor-General, the fugitives shall be delivered over to him.

Annual Revenue to be paid to Rulers.

VIII. Condition the Eighth, which is the eighth Chapter of this mutual writing, being that: the regular revenue and the *honorarium* are 14,000 tomans; in this wise: the revenue is 12,000 tomans, and the *honorarium* 2,000 tomans, in every year; this being paid in four instalments, delivered, and receipts shall be given to all the Rulers.

Properties of Persian Merchants impounded at Kishm to be restored.

IX. Condition the Ninth, which is the ninth Chapter of this mutual writing, being that: the properties of Persian merchants impounded in Kishm shall be entirely and totally released and delivered to their representatives, who shall give receipts on delivery of their goods.

Dues to be levied on Commercial Effects introduced into Bender-'Abbas from other parts.

X. Condition the Tenth, which is the tenth Chapter of this mutual writing, being that: from the tenour of what the merchants, subjects of the exalted Government of Persia, have represented, that formerly one of the Baniyans (Banians), who

farmed the dues* of the Bay of Masgat (Muscat), had some one on his part, who resided in Bender-'Abbas, over the commercial effects belonging to the subjects of the exalted Government of 'Iran, which were carried from Bender-'Abbas to India and other parts, and who used to collect from them the Muscat duties, &c., at Bender-'Abbas. And that, in all countries [towns], and with all Governments, this custom [due] does not exist [that], a thing which does not enter the country [town], they [should] take tithes therefrom. And this is contrary to the rule and the law; indeed, it is an evident innovation [that] property which does not enter the country [town] should be made liable to tithes. It is necessary that His Highness the 'Imam should do away with this innovation altogether. And whosoever introduces commercial effects into Bender-'Abbas from any places henceforward, let them deliver up the tithes [thereof] in like manner as took place in the time of Seyf, son of Mihnan, not more.

Written on the 17th of Rebi'u-'l-ewwel, in the (Hijra) year 1273 (November 17, 1856).

God the Most Loving!

(L.S.) SA'ID, son of Sultan

(L.S.) TAHMAS MIRZA.

Translated by J. W. REDHOUSE.

TRAITE de Paix et d'Amitié perpétuelle, conclu entre l'Empire de Russie et celui de Perse dans le Camp Russe, sur la Rivière de Siewa dans le Gulistan, le 12 *Octobre,* 1813.†

[Ratifications exchanged at Tiflis, 15th September, 1814.]

TABLE OF CONTENTS.

Art.
Preamble.
I. Cessation of Hostilities; Peace and Friendship.
II. *Status quo présent* to form future Frontier Line between Russia and Persia. Description of the Boundary Line.
III. Cessions by Persia to Russia.
IV. Assistance to be rendered by Russia to Heirs to the Persian Throne. No Foreign Enemy to be allowed to interfere in Persian Affairs. Russia not to interfere in Differences between the Sons of the Shah unless invited to do so by the Shah.
V. Navigation of the Caspian Sea by Merchant Vessels. Coasting Trade. Wrecks. Russian Ships of War only to be allowed on Caspian Sea.
VI. Restoration of Prisoners of War.
VII. Reception of Diplomatic and Consular Agents.
VIII. Commercial Relations. Right of Merchants of either country to Enter, Reside, and Trade in the Territories of the other.
IX. Duties on Imports not to exceed 5 per cent.
X. Right of Merchants to Trade without requiring Permits.
XI. Cessation of Hostilities. Ratifications.

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* Customs dues appear to be considered as "tithes." (J. W. R.)

† Abrogated by war: see Treaty $\frac{10th}{22nd}$ February, 1828, Art. II, page 118. For Treaty, see "State Papers," Vol. 5, page 1109.

Description of the Boundary Line.

ART. II. Cette ligne commence près la Forêt Odina-Basara, traverse en droite ligne le Desert Maganais, jusqu'à la digue d'Edibuluk près la rivière Arax, de là en montant le long de l'Arax jusqu'à l'endroit où la petite rivière Kapanaktschaja y entre, et plus loin à la droite de la petite Rivière Kapanaktschaja jusqu'à la crête des montagnes de Migrin, et continue à s'etendre de là par les limites des Chanats Karabag et Nachitschewan sur la crête des montagnes de Alegas, jusqu'à la Forêt Daraleges, où se touchent les limites des Chanats de Karabag, Nachitschewan, Erivan, et d'une partie du Cercle d'Elisabethpol (lequel appartenait autrefois au Chanat de Ganschin); en suite de là par la limite qui sépare le Chanat d'Eriwan, des terres du Cercle d'Elisabethpol comme de celui de Schamschadit et de Kasach jusqu'à la Forêt de Eschok Meidan, et de là sur les crêtes des montagnes en suivant à droite le cours de la petite rivière et de la route de Gimsatschiman le long de la crête de la montagne de Bambak jusqu'au coin de la limite de Schuragel; de cet angle enfin jusqu'à la hauteur du mont glacial d'Alages, et de là le long de la crête des montagnes par la frontière de Schuragel, entre Mastaras et Artik jusqu'à la petite Rivière de Arpatschaja. Au reste, comme le Territoire de Taluschin a passé pendant la guerre tantôt sous le pouvoir de l'une tantôt sous celui de l'autre Puissance, les limites de ce Chanat du côté de Sinsel et Ardawil seront, pour plus de certitude, réglées après la signature et la Ratification du présent Traité par les Commissaires réciproquement nommés d'un accord commun; lesquels Commissaires dresseront, sous la direction des Commandans en Chef des 2 Parties, une description fidèle et détaillée des territoires et habitations, comme aussi des rivières, montagnes, lacs et forêts qui se trouvent jusqu'à l'époque présente dans la possession effective de l'une des 2 Parties; et alors il sera tiré une ligne de délimitation du Chanat du Taluschin sur la base de l'état de possession actuel, de sorte que chaque partie reste en possession de son territoire. De la même manière, si dans les limites ci-dessus tracées la ligne dépasseroit en quelque point la possession actuelle de l'une ou de l'autre des 2 Parties, chaque Partie obtiendra après examen des Commissaires des 2 Hautes Puissances, une indemnité proportionnelle sur la base de l'état de possession actuelle.*

Cessions by Persia to Russia.

ART. III. Sa Majesté le Schach, afin de prouver à Sa Majesté l'Empereur de Russie la sincérité de ses intentions, reconnoit solennellement, tant pour lui que pour ses Successeurs au Trône de Perse, que les Chanats (Gouvernemens) ci-dessous appartiennent en propre à l'Empire Russe: le Chanat de Karabag et

* See Map facing page 120.

de Ganschin, qui son maintenant réunis et une Province sur le nomme d'Elisabethpol, ainsi que les Chanats de Schekin, Schirwan, Derbent, Kubin, Bakiu et Talischin, avec les terres dépendantes qui se trouvent maintenant ou pouvoir de la Russie; en outre tout le Daghestan, la Grusinie (Georgie,) avec la Province de Schuragel, Imirezie, Guriel, Mingrélie et Abchasie, de même que tous les territoires et fonds de terre qui sont situés entre la frontière qui vient d'être déterminée et la ligne du Caucase, avec les Pays et les Peuplades que confinent à cette dernière et à la Mer Caspienne.

[War was declared by Russia against Persia on the 28th September, 1826.]

TRAITÉ de Paix et d'Amitié entre Sa Majesté l'Empereur de toutes les Russies et Sa Majesté Le Schah de Perse. Signé à Tourkmantchaî, $\frac{10}{22}$ Février, 1828.*†

TABLE OF CONTENTS.

Art.
I. Friendship.
II. Obligations of Treaty of 12th October, 1813, terminated by War.
III. Cessions by Persia to Russia.
IV. Description of New Frontier Line.
V. New Territories belonging to Russia.
VI. Pecuniary Indemnity to be paid by Persia to Russia on account of the War.
VII. Recognition by Russia of Prince Abbas Mirza as Successor to the Persian Throne.
VIII. Right of Russian and Persian Merchant Vessels to Navigate the Caspian Sea. Coasting Trade. Wrecks. None but Russian Vessels of War allowed on the Caspian Sea.
IX. Reception of Ambassadors and other Diplomatic Agents.
X. Commercial Relations; Protection of Subjects and Commerce. Appointment of Consuls and Commercial Agents.
XI. Payment of Debts suspended during War.
XII. Three Years allowed for Settlement of Question respecting Immovable Property in ceded Territories.
XIII. Prisoners of War.
XIV. Extradition of Fugitives and Deserters.
XV. Amnesty.
XVI. Cessation of Hostilities. Ratifications.

Au nom de Dieu tout-puissant!

SA Majesté le Très-Haut, Très-Illustre et Très-puissant Empereur et Autocrate de toutes les Russies, et Sa Majesté le Padischah de Perse, également animés d'un sincère désir de mettre un terme aux maux d'une Guerre entièrement contraire

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* See also Commercial Treaty, and Agreement respecting Ceremonial to be observed on reception of Ambassadors and Diplomatic Agents of same date, pages 125, 130.

† From "State Papers," Vol. 15, page 669.

à leurs mutuelles dispositions, et de rétablir sur une base solide les anciens rapports de bon voisinage et d'amitié entre les deux Etats au moyen d'une Paix, qui porte en elle-même la garantie de sa durée, en éloignant tout sujet de différend et de mésintelligence futur, ont désigné pour leurs Plénipotentiaires, chargés de travailler à cette œuvre salutaire, savoir:

Sa Majesté l'Empereur de toutes les Russies, le Sieur Jean Paskévitch, son Aide-de-Camp Général et Général d'Infanterie:

Et le Sieur Alexandre Obrescoff, son Conseiller-d'Etat actuel et Chambellan;

Et Sa Majesté le Schah de Perse, son Altesse Royale le Prince Abbas-Mirza;

Lesquels, après s'être réunis à Tourkmantchaî, et avoir échangé leurs Pleins Pouvoirs, trouvés en bonne et due forme, ont arrêté et conclu les Articles suivans:

Friendship.

ART. I. Il y aura, à compter de ce jour, paix, amitié et parfaite intelligence entre Sa Majesté l'Empereur de toutes les Russies d'une part, et Sa Majesté le Schah de Perse de l'autre part, Leurs Héritiers et Successeurs, Leurs Etats et Leurs Sujets respectifs, à perpétuité.

Obligations of Treaty of 12th October, 1813, terminated by War.

ART. II. Considérant que les hostilités survenues entre les Hautes Parties Contractantes, et heureusement terminées aujourd'hui, ont fait cesser les obligations que leur imposait le Traité de Gulistan,* Sa Majesté l'Empereur de toutes les Russies et Sa Majesté le Padischah de Perse, ont jugé convenable de remplacer ledit Traité de Gulistan par les présentes Clauses et Stipulations, lesquelles sont destinées à régler et à consolider de plus en plus les relations futures de paix et d'amitié entre la Russie et la Perse.

Cessions by Persia to Russia.

ART. III. Sa Majesté le Schah de Perse, tant en son nom qu'en celui de ses Héritiers et Successeurs, cède en toute propriété à l'Empire de Russie le Khanat d'Erivan, tant en-deçà qu'en-delà de l'Araxe, et le Khanat de Nakhitchévan. En conséquence de cette cession, Sa Majesté le Schah s'engage à faire remettre aux Autorités Russes, dans l'espace de 6 mois au plus, à partir de la signature du présent Traité, toutes les Archives et tous les Documens publics concernant l'administration des deux Khanats sus-mentionnés.

Description of New Frontier Line.

ART. IV. Les deux Hautes Parties Contractantes conviennent

* 12th October, 1813, page 115.

d'établir pour Frontière entre les deux Etats, la Ligne de Démarcation suivante: En partant du point de la Frontière des Etats Ottomans, le plus rapproché en ligne droite de la sommité du petit Ararat, cette ligne se dirigera jusqu'à la sommité de cette montagne, d'où elle descendra jusqu'à la source de la rivière dite Karassou inférieur, qui découle du versant méridional du petit Ararat, et elle suivra son cours jusqu'à son embouchure dans l'Araxe, vis-à-vis de Chérour. Parvenue à ce point, cette ligne suivra le lit de l'Araxe jusqu'à la Forteresse d'Abbas-Abad; autour des ouvrages extérieurs de cette place, qui sont situés sur la rive droite de l'Araxe, il sera tracé un rayon d'un demi-agatch, ou 3 verstes et demie de Russie, lequel s'étendra dans toutes les directions; tout le terrain qui sera renfermé dans ce rayon appartiendra exclusivement à la Russie, et sera démarqué avec la plus grande exactitude dans l'espace de deux mois, à dater de ce jour. Depuis l'endroit où l'extrémité orientale de ce rayon aura rejoint l'Araxe, la Ligne Frontiére continuera à suivre le lit de ce fleuve jusqu'au gué de Jédiboulouk, d'où le Territoire Persan s'étendra le long du lit de l'Araxe sur un espace de 3 agatch ou 21 verstes de Russie; parvenue à ce point, la Ligne Frontière traversera en droiture la plaine du Moughan, jusqu'au lit de la rivière dite Bolgarou, à l'endroit qui se trouve situé à 3 agatch ou 21 verstes, au-dessous du confluent des deux petites rivières appelées Odinabazar et Sarakamyche. De là, cette Ligne remontera de la rive gauche du Bolgarou jusqu'au confluent desdites rivières Odinabazar et Sarakamyche, et s'étendra le long de la rive droite de la rivière d'Odinabazar jusqu'à sa source, et de là jusqu'à la cime des hauteurs de Djikoïr, de manière, que toutes les eaux qui coulent vers la Mer Caspienne appartiendront à la Russie, et toutes celles dont le versant est du côté de la Perse, appartiendront à la Perse. La limite des deux Etats étant marquée ici par la crête des montagnes, il est convenu que leur déclinaison du côte de la Mer Caspienne appartiendra à la Russie, et que leur pente opposée appartiendra à la Perse. De la crête des hauteurs de Djikoïr, la Frontière suivra jusqu'à la sommité de Kamarkouïa, les montagnes qui séparent le Talyche du district d'Archa. Les crêtes des montagnes séparent de part et d'autre le versant des eaux, determineront ici la Ligne Frontière de la même manière qu'il est dit ci-dessus au sujet de la distance comprise entre la source de l'Odinabazar et les sommités de Djikoïr. La Ligne Frontière suivra ensuite, depuis la sommité de Kamarkouïa, les crêtes des montagnes qui séparent le District de Zouvante de celui d'Archa, jusqu'à la limite de celui de Welkidji, toujours conformément au principe énoncé par rapport aux versans des eaux. Le District de Zouvante, à l'exception de la partie située du côté opposé de la cime desdites montagnes, tombera de la sorte en partage à la Russie. A partir de la limite du District de Welkidji, la Ligne Frontière entre les deux Etats suivra les sommités de Klopouty et de la chaîne principale des montagnes qui traversent le District de Welkidji jusqu'à la source septentrionale de la rivière

dite Astara, toujours en observant le principe relatif aux versans des eaux. De là la Frontière suivra le lit de ce fleuve jusqu'à son embouchure dans la Mer Caspienne, et complétera la Ligne de Démarcation, qui séparera dorénavant les Possessions respectives de la Russie et de la Perse.

New Territories belonging to Russia.

ART. V. Sa Majesté le Schah de Perse, en temoignage de son amitié sincère pour Sa Majesté l'Empereur de toutes les Russies, reconnaît solennellement par le présent Article, tant en son nom qu'au nom de ses Héritiers et Successeurs au Trône de Perse, comme appartenans à jamais à l'Empire de Russie, tous les Pays et toutes les Iles situés entre la Ligne de Démarcation désignée par l'Article précédent d'un côté, et la crête des Montagnes du Caucase, et la Mer Caspienne de l'autre, de même que les Peuples nomades et autres, qui habitent ces Contrées.

Pecuniary Indemnity to be paid by Persia to Russia on account of the War.

ART. VI. Dans le but de compenser les sacrifices considérables, que la guerre, qui a éclaté entre les deux Etats, a occasionnés à l'Empire de Russie, ainsi que les pertes et dommages qui en sont résultés pour les Sujets Russes, Sa Majesté le Schah de Perse s'engage à les bonifier moyennant le paiement d'une Indemnité pécuniare. Il est convenu entre les deux Hautes Parties Contractantes, que le montant de cette Indemnité est fixé à dix kurours de tomans raidje ou 20,000,000 de roubles d'argent et que le mode, les termes et les garanties du paiement de cette Somme seront réglés par un Arrangement particulier, qui aura la même force et valeur que s'il était inséré mot à mot au présent Traité.

*Recognition by Russia of Prince Abbas Mirza as Successor to the Persian Throne.**

ART. VII. Sa Majesté le Schah de Perse ayant jugé à-propos de désigner pour son Successeur et Héritier Présomtif son Auguste Fils le Prince Abbas Mirza, Sa Majesté l'Empereur de toutes les Russies, afin de donner à Sa Majesté le Schah de Perse un témoignage public de ses dispositions amicales et de son désir de contribuer à la consolidation de cet Ordre de Succession, s'engage à reconnaître dès aujourd'hui dans l'Auguste Personne de Son Altesse Royale le Prince Abbas Mirza, le Successeur et l'Héritier Présomtif de la Couronne de Perse, et à le considérer comme Légitime Souverain de ce Royaume dès son avénement du Trône.

* See Agreement between Great Britain and Russia of August, September, 1834, page 215.

MAP

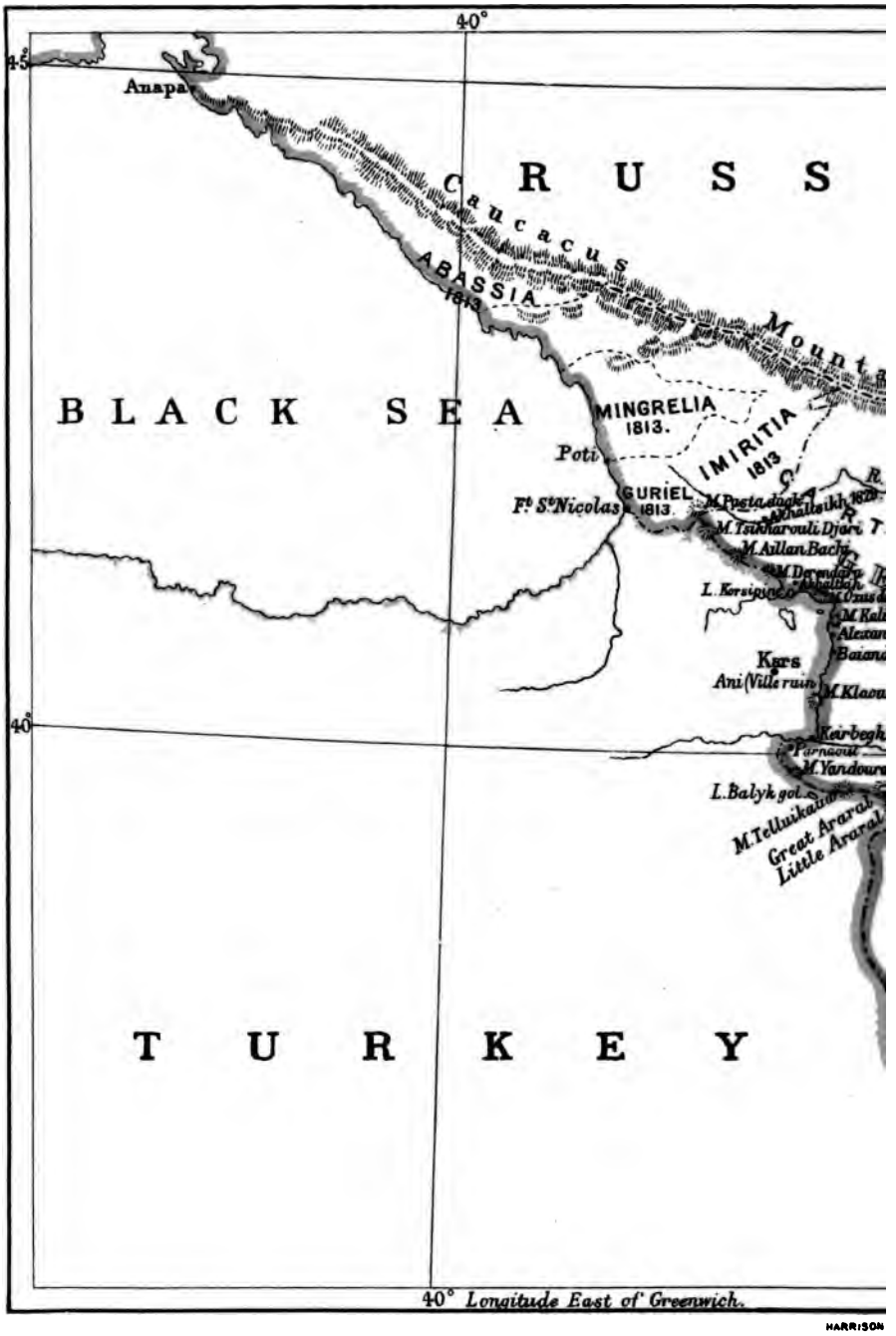
SHOWING TERRITORIES CEDED TO

RUSSIA BY PERSIA.

by the Treaties of 12 October, 1813,

and 22, February, 1828.

MAP ILLUSTRATING ROUGHLY, THE
BY THE TREATIES OF 12 OCT



To face page 120.

:ORIES CEDED TO RUSSIA BY PERSIA 813, AND 22 FEBRUARY 1828.

LANE, W.C.

MAP

SHOWING TERRITORIES CEDED TO

RUSSIA BY PERSIA.

by the Treaties of 12 October, 1813,

and 22, February, 1828.

Right of Russian and Persian Merchant Vessels to Navigate the Caspian Sea. Coasting Trade. Wrecks.

ART. VIII. Les Bâtimens Marchands Russes jouiront, comme par le passé, du droit de naviguer librement sur la Mer Caspienne et le long de ses côtes et d'y aborder. Ils trouveront en Perse secours et assistance en cas de naufrage. Le même droit est accordé aux Bâtimens Marchands Persans de naviguer sur *l'ancien pied*, dans la Mer Caspienne et d'aborder aux Rivages Russes, où, en cas de naufrage, les Persans recevront réciproquement secours et assistance.*

*None but Russian Vessels of War allowed on the Caspian Sea.**

Quant aux bâtimens de guerre, ceux qui portent le pavillon Militaire Russe, étant *ab antiquo* les seuls qui aient eu le droit de naviguer sur la Mer Caspienne, ce même privilége exclusif leur est, par cette raison, également réservé et assuré aujourd'hui, de sorte, qu'à l'exception de la Russie, aucune autre Puissance ne pourra avoir des bâtimens de guerre sur la Mer Caspienne.

Reception of Ambassadors and the Diplomatic Agents.

ART. IX. Sa Majesté l'Empereur de toutes les Russies et Sa Majesté le Schah de Perse ayant à cœur de resserrer par tous les moyens, les liens si heureusement rétablis entr'eux, sont convenus que les Ambassadeurs, Ministres et Chargés d'Affaires, qui pourraient être réciproquement délégués auprès des Hautes Cours respectives, soit pour s'acquitter d'une Mission temporaire, soit pour y résider en permanence, seront reçus avec les honneurs et distinctions analogues à leur rang et conformes à la dignité des Hautes Puissances Contractantes, comme à l'amitié sincère qui les unit et aux usages du Pays. On conviendra à cet effet, moyennant un Protocole espécial, du cérémonial à observer de part et d'autre.†

Commercial Relations; Protection of Subjects and Commerce.

ART. X. Sa Majesté l'Empereur de toutes les Russies et Sa

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* On the 24th November, 1869, the following decision of the Council of the Empire of Russia was published, prohibiting the establishment of Companies for the navigation of the Caspian Sea, except by Russian subjects, and the purchase by foreigners of shares in such Companies:—

"ART. I. Désormais, il ne pourra être établi pour la navigation de la Mer Caspienne d'autres compagnies d'actionnaires et d'autres maisons de commerce par association ou en commandite (y compris les commanditaires), que celles exclusivement composées de sujets Russes. Pour la constatation de ce fait les actions des compagnies de cette nature ne pourront être que nominatives.

"ART. II. A dater de la promulgation de cette règle, les actions et commandites dans les entreprises de navigation sur la Mer Caspienne ne pourront être acquises par les étrangers." ("State Papers," Vol. 63, page 925.)

† See Protocol (Procès-Verbal) of same date, page 130.

Majesté le Schah de Perse considérant le rétablissement et l'extension des Relations Commerciales entre les deux Etats, comme un des premiers bienfaits que doit produire le retour de la Paix, sont convenus de regler dans un parfait accord, toutes les dispositions relative à la protection du Commerce, et à la sûreté des Sujets respectifs, et de les consigner dans un Acte séparé et ci-annexé, arrêté entre les Plénipotentiaires respectifs, et qui est et sera considéré comme faisant partie intégrante du présent Traité de Paix.*

Appointment of Consuls and Commercial Agents.

Sa Majesté le Schah de Perse réserve à la Russie, comme par le passé, le droit de nommer des Consuls, ou Agens Commerciaux, partout où le bien du Commerce l'exigera, et il s'engage à fair jouir ces Consuls et Agens, chacun desquels n'aura pas une suite de plus de dix Individus, de la protection, des honneurs et des priviléges affectés à leur caractère public. Sa Majesté l'Empereur de toutes les Russies promet de Son côté, d'observer une parfaite réciprocité à l'égard des Consuls ou Agens Commerciaux de Sa Majesté le Schah de Perse. En cas de plainte fondée de la part du Gouvernement Persan contre un des Agens ou Consuls Russes, le Ministre ou Chargé d'Affaires de Russie, résidant à la Cour de Sa Majesté le Schah, et sous les ordres immédiats duquel ils seront placés, le suspendra de ses fonctions, et en conférera provisoirement la gestion à qui il jugera convenable.

Payment of Debts, suspended during War.

ART. XI. Toutes les affaires et réclamations des Sujets respectifs, suspendues par l'évenement de la Guerre, seront reprises et terminées suivant la justice après la conclusion de la Paix. Les créances, que les Sujets respectifs peuvent avoir les uns envers les autres, ainsi que celles sur le fisc, seront promptement et entièrement liquidées.

Three Years allowed for Settlement of Question respecting Immovable Property in Ceded Territories.

ART. XII. Les Hautes Parties Contractantes conviennent d'un commun accord, dans l'intérêt de Leur Sujets respectifs, de fixer un terme de 3 Ans, pour que ceux d'entr'eux qui simultanément des propriétés immobilières en deçà et en delà de l'Araxe, aient la faculté de les vendre, ou de les échanger librement. Sa Majesté Impériale de toutes les Russies excepte néanmoins du bénéfice de cette disposition, en autant qu'elle La concerne, le ci-devant Sardar d'Erivan, Houssein Khan, son Frère Hassan Khan et Kérim Khan, ci-devant Gouvernour de Nakhitchévan.

* See Commercial Treaty of same date, page 125.

Prisoners of War.

ART. XIII. Tous les Prisonniers de Guerre faits de part et d'autre, soit dans le cours de la dernière Guerre, soit auparavant, de même que les Sujets des deux Gouvernements réciproquement tombés en captivité, à quelqu'époque que ce soit, seront rendus dans le terme de 4 mois et après avoir été pourvus de vivres et autres objects nécessaires, ils seront dirigés sur Abbas Abad pour y être remis entre les mains des Commissaires, respectivement chargés de les recevoir et d'aviser à leur renvoi ultérieur dans leur foyers. Les Hautes Parties Contractantes en useront de même à l'égard de tous les Prisonniers de Guerre et de tous les Sujets Russes et Persans réciproquement tombés en captivité, qui n'auraient pas été restitués dans le terme susmentionné, soit en raison de l'éloignement où ils se seraient trouvés, soit par toute autre cause, ou circonstance. Les deux Gouvernements se réservent expressement le droit illimité de les réclamer en tout tems, et ils s'obligent à les restituer mutuellement à mesure qu'il s'en présentera, ou à mesure qu'ils les réclameront.

*Extradition of Fugitives and Deserters.**

ART. XIV. Les Hautes Parties Contractantes n'exigeront pas l'extradition des transfuges et déserteurs, qui auraient passé sous leur domination respective avant ou pendant la guerre. Toutefois, pour prévenir les conséquences mutuellement préjudiciables, qui pourraient résulter des intelligences, que quelques-uns de ces transfuges chercheraient à entretenir avec leurs anciens Compatriotes, ou Vassaux, le Gouvernement Persan s'engage à ne pas tolérer dans ses Possessions, situées entre l'Araxe et la Ligne formée par la Riviére dite Tchara, par le Lac d'Ourmie, par la Rivière dite Djakatou et par la Rivière dite Kizil-Ozane, jusqu'à son confluent dans la Mer Caspienne, la présence des Individus qui lui seront nominalement désignés maintenant, ou qui lui seraient signalés à l'avenir. Sa Majesté l'Empereur de toutes les Russies promet également de Son côté de ne pas permettre que les transfuges Persans s'établissent, ou restent à demeure dans les Khanats de Karabag et de Nakhitchévan, ainsi que dans la Partie du Khanat d'Erivan située sur la rive droite de l'Araxe. Il est entendue toutefois que cette clause n'est, et ne sera obligatoire, qu'à l'égard d'Individus revêtus d'un caractère public, ou de certaine dignité, tels que les Khans, les Begs et les Chefs Spirituelle ou Mollahs, dont l'exemple personnel, les instigations et les intelligences clandestines pourraient exercer une influence pernicieuse sur leurs anciens Compatriotes, Administrés, ou Vassaux. Pour ce qui concerne la masse de la Population dans les deux Pays, il est convenue entre les Hautes Parties Contractantes, que les Sujets respectifs qui auraient

* See Explanatory Convention of 3rd July, 1844, page 133.

passé ou qui passeraient à l'avenir d'un Etat dans l'autre, seront libres de s'établir, ou de séjourner partout où le trouvera bon le Gouvernement sous la domination duquel ils se seront placés.

Amnesty.

ART. XV. Dans le but bienfaisant et salutaire de ramener le calme dans ses Etats, et d'écarter de ses Sujets tout ce qui pourrait aggraver les maux qu'a déjà attiré sur eux la Guerre à laquelle le présent Traité a mis si heureusement fin, Sa Majesté le Schah accorde une Amnistie pleine et entière à tous les Habitans et Fonctionnaires de la Province dite l'Adzerbaidjane. Aucun n'eux, sans exception de catégorie, ne pourra être ni poursuivi, ni molesté pour ses opinions, pour ses actes, ou pour la conduite qu'il aurait tenue, soit pendant la guerre, soit pendant l'occupation temporaire de la dite Province par les Troupes Russes. Il leur sera accordé en outre le terme d'un an, à dater de ce jour, pour se transporter librement avec leurs familles des Etats Persans dans les Etats Russes, pour exporter et pour vendre leurs biens-meubles, sans que les Gouvernemens, ou les Autorités Locales, puissent y mettre le moindre obstacle, ni prélever aucun droit, ou aucune rétribution sur les biens et sur les objets vendus, ou exportés par eux. Quant à leurs biens immeubles, il leur sera accordé un terme de 5 Ans pour les vendre, ou pour en disposer à leur gré. Sont exceptés de cette Amnistie ceux qui se rendraient coupables, dans l'espace de tems susmentionné d'un An, de quelque crime, ou délit passible des peines punies par les Tribunaux.

Cessation of Hostilities.

ART. XVI. Aussitôt après la Signature du présent Traité de Paix, les Plénipotentiaires respectifs s'empresseront d'envoyer en tous lieux les avis et injonctions nécessaires pour la cessation immédiate des hostilités.

Ratifications.

Le présent Traité de Paix, dressé en deux Instrumens de la même teneur, signé par les Plénipotentiaires respectifs, muni du Cachet de leurs Armes, et échangé entr'eux, sera confirmé et ratifié par Sa Majesté l'Empereur de toutes les Russies, et Sa Majesté le Schah de Perse, et les Ratifications solennelles, revêtus de Leur propre Signature, en seront échangées entre Leurs Plénipotentiaires, dans le terme de 4 mois, ou plus tôt si faire se peut.

Fait au Village de Tourkmantchaî, le $\frac{10}{22}$ Février, de l'An de Grâce 1828, et le 5 de Schebone de l'An 1243 de l'Egyre.

(L.S.) J. PASKEVITCH. (L.S.) ABBAS MIRZA.

(L.S.) A. OBRESCOFF.

*TREATY of Commerce between Russia and Persia.—Signed at Tourkmantchai, $\frac{10th}{22nd}$ February, 1828.**

TABLE OF CONTENTS.

Art.
I. Passports. Persian Trade with Russia by the Caspian Sea or across the Frontier. Property of Russian Subjects dying in Persia.
II. Registration of Contracts and other Documents relating to Commerce. Legalization of Documents. Observance of Contracts. Reciprocity.
III. Duty of 5 per cent. on Merchandize imported or exported by way of the Caspian Sea, or across the Frontier.
IV. Non-interruption of Trade in case of War with a third country.
V. Right of Russian Subjects in Persia to live and acquire Possession of Houses, Shops, and Warehouses. Inviolability of Domicile; Non-entrance of Houses, Shops, &c., of Russians without authority of a Russian Diplomatic or Consular Officer.
VI. Right of Russian Diplomatic and Consular Staff to Purchase Goods for their own use Free of Duty. Reciprocal Treatment of Persian Diplomatic and Consul Staff in Russia; Protection of Persian Subjects in Russian employ; Punishment by Persian Authorities when Guilty of Misconduct.
VII. Russian Diplomatic and Consular Jurisdiction: Civil Suits between Russian Subjects. Russian Diplomatic and Consular Jurisdiction: Civil Suits between Russians and Subjects of other Nations. Russian Diplomatic and Consular Jurisdiction: Civil Suits between Russians and Persians; Second Trials.
VIII. Criminal Jurisdiction: Crimes committed by Russian Subjects. Implication of Subjects of other Nations. Witnesses. Deportation of Convicted Criminals to Russia to undergo Punishment.
IX. Enforcement of Foregoing Stipulations.

(Traduction.)

Au nom de Dieu, Tout Puissant!

ART. I. Les 2 Hautes Parties Contractantes désirant faire jouir leurs sujets respectifs de tous les avantages qui résultent d'une liberté réciproque de commerce, sont convenus de ce qui suit:

Passports.

Les sujets Russes munis de passports en bonne forme pourront commercer dans toute l'étendue du Royaume de Perse, et se rendre également dans les Etats voisins dudit royaume.

Persian Trade with Russia by the Caspian Sea or across the Frontier.

En réciprocité de quoi les sujets Persans pourront importer leurs marchandises en Russie, soit par la mer Caspienne, soit par la frontière de terre qui sépare la Russie de la Perse, les échanger ou faire les achats pour l'exportation, et ils jouiront de tous les droits et prérogatives accordés dans les Etats de Sa Majesté Impériale aux sujets des Puissances amies les plus favorisées.

* See also Political Treaty, and Agreement respecting Ceremonial to be observed on reception of Ambassadors, of same date, pages 117, 130.

Property of Russian Subjects dying in Persia.

En cas de décès d'un sujet Russe en Perse, ses biens meubles et immeubles, comme appartenant à un sujet d'une Puissance amie, seront remis intégralement à ses parents ou associés, lesquels auront droit d'aliéner les dits biens, selon qu'ils jugeront convenable. A défaut de parents ou d'associés, la disposition de ces mêmes biens sera confiée à la Mission ou aux Consuls de Russie sans aucune entrave de la part des autorités locales.

Registration of Contracts and other Documents relating to Commerce.

ART. II. Les contrats, lettres d'échange, cautionnements et autres actes passés par écrit entre les sujets respectifs, pour leurs affaires de commerce, seront enregistrés chez le Consul de Russie et chez le Hakim (Juge Civil) et là, où il ne se trouve pas de Consul, chez le Hakim seul, afin qu'en cas de contestation entre les 2 parties on puisse faire les recherches nécessaires pour décider le différend conformément à la justice.

Legalisation of Documents.

Si l'une des 2 parties sans être pourvue des documents dressés et légalisés comme il est dit plus haut, lesquels seront valables par-devant chaque cour de justice, voulat intenter un procès à l'autre en ne produisant que des preuves des testimoniales, de telles prétentions ne seront point admises à moins que le défendeur lui-même n'en reconnaisse la légalité.

Observance of Contracts.

Toute engagement contracté entre les sujets respectifs, dans les formes ci-dessus prescrites, sera réligieusement observé et refus d'y satisfaire qui occasionnerait des pertes à l'une des parties donnera lieu à une indemnité proportionnelle de la part de l'autre. En cas de faillite d'un négociant Russe en Perse, ses créanciers seront payés des biens et effets du failli, mais le Ministre, le Chargé d'Affaires ou le Consul de Russe ne refuseront pas s'ils en étaient requis, leurs bons offices pour s'assurer si le failli n'a point laissé en Russie des propriétés disponibles qui puissent servir à satisfaire les mêmes créanciers.

Reciprocity.

Les dispositions arrêtées dans le présent Article seront réciproquement observées à l'égard des sujets Persans qui commercent en Russie sur la protection des lois.

Duty of 5 per cent. on Merchandize imported and exported by way of the Caspian Sea or across the Frontier.

ART. III. Afin d'assurer au commerce des sujets respectifs, les

avantages qui font l'objet des stipulations antérieures, il est convenu que les marchandises importées en Perse ou exportées de ce Royaume par les sujets Russes et pareillement les productions de la Perse importées en Russie par les sujets Persans, soit par la mer Caspienne, soit par la frontière de terre entre les 2 Etats, de même que les marchandises Russes que des sujets Persans exporteraient de l'empire par les mêmes voies, seront soumises, comme par le passé, à un droit de 5 pour cent, perçu une fois pour toutes à entre à leur sortie, et ne seront assujetties ensuite au payement d'aucun autre droit de douane. Si la Russie jugeait nécessaire d'arrêter de nouveaux règlements de douane et de nouveaux tarifs, elle s'engage néanmoins à ne pas hausser même dans ce cas, le droit ci-dessus mentionné de 5 pour cent.

Non-interruption of Trade in case of War with a third Country.

ART. IV. Si la Russie ou la Perse se trouvait en guerre avec une autre Puissance, il ne sera pas défendu aux sujets respectifs de traverser avec leurs marchandises le territoire des Hautes Parties Contractantes pour se rendre dans les Etats de la dite Puissance.

Rights of Russian Subjects in Persia to hire and acquire possession of Houses, Shops, and Warehouses.

ART. V. Attendu qu'après les usages existants en Perse, il est difficile pour les sujets étrangers de trouver à louer des maisons, magasins, ou emplacements propre au dépôt de leurs marchandises, il est permis aux sujets Russes en Perse non-seulement de louer, mais aussi d'acquérir en toute propriété, des maisons pour les habiter, et des magasins ainsi que des emplacements pour y déposer leurs marchandises.

Inviolability of Domicile. Non-entrance of Houses, Shops, &c., of Russians without authority of a Russian Diplomatic or Consular Officer.

Les employés du Gouvernement Persan ne pourront entrer de force dans les dites maisons magasins ou emplacements, à moins de recourir en cas de nécessité à l'autorisation du Ministre, ou du Chargé d'Affaires, ou du Consul de la Russie, lesquels délégueront un employé ou Dragoman pour assister à la visite de la maison ou des marchandises.

Right of Russian Diplomatic and Consular Staff to purchase Goods for their own use free of Duty.

ART. VI. De même le Ministre ou le Chargé d'Affaires de Sa Majesté Impériale, les employés de la Mission de Russie, les Consuls et les Dragomans ne trouvant à acheter en Perse ni les effets qui servent à leur habillement ni beaucoup d'objets de consommation qui leur sont nécessaires, pourront faire venir

franc de droit et de rétributions, pour leur propre compte, tous les objets et effets qui seront destinés uniquement à leur usage.

Reciprocal Treatment of Persian Diplomatic and Consular Staff in Russia.

Les agents publics de Sa Majesté le Schah résident dans les Etats de l'empire Russe, jouiront d'une parfaite réciprocité à cet égard.

Protection of Persian Subjects in Russian employ. Punishment by Persian Authorities when guilty of misconduct.

Les sujets Persans faisant partie de la suite du Ministre ou du Chargé d'Affaires et des Consuls, et nécessaires pour leur service, jouiront, tant qu'ils se trouveront auprès d'eux de leur protection à l'égal des sujets Russes, mais s'il arrivait qu'un d'entre eux se rendit coupable de quelque délit et qu'il encourût par là le châtiment des lois existantes, dans ce cas le Ministre Persan ou le Hakim, et à son défaut l'autorité locale compétente s'adressera immédiatement au Ministre, Chargé d'Affaires ou Consul Russe, au service duquel se trouvera le prévenu, afin qu'il soit livré à la justice; et si cette demande est fondée sur des preuves établissant la culpabilité de l'accusé, le Ministre, Chargé d'Affaires ou Consul ne fera aucune difficulté d'y satisfaire.

Russian Diplomatic and Consular Jurisdiction. Civil Suits between Russian Subjects.

ART. VII. Tous les procès et toutes affaires litigieuses entre les sujets Russes seront soumis exclusivement à l'examination et la décision de la Mission ou des Consuls de la Russie, formément aux lois et coutumes de l'Empire de Russie;

Russian Diplomatic and Consular Jurisdiction. Civil Suits between Russians and Subjects of other Nations.

de même que les différends et procès survenus entre les sujets Russes et ceux d'une autre Puissance dans le cas où les parties y consentiront.

Russian Diplomatic and Consular Jurisdiction. Civil Suits between Russians and Persians.

Lorsque il s'élèvera des différends ou procès entre les sujets Russes et les sujets Persans, lesdits procès ou différends seront portés par-devant le Hakim ou Gouverneur, et ne seront examinés et jugés qu'en présence du Dragoman de la Mission ou du Consulat.

Second Trials.

Une fois juridiquement terminés, de tels procès ne pourront être informés une seconde fois. Si toutefois les circonstances étaient de nature d'exiger un second examen, il ne pourra avoir lieu sans que le Ministre ou le Chargé d'Affaires ou le Consul de Russie en soient prévenus, et dans ce cas l'affaire ne sera instruite et jugée qu'au Defter; c'est-à-dire, en la Chancellerie Suprême du Schah, à Tabriz ou à Tehran, également en présence d'un Dragoman de la Mission ou du Consulat de Russie.

Criminal Jurisdiction. Crimes committed by Russian Subjects.

ART. VIII. En cas de meurtre ou d'autre crime commis entre sujets Russes l'examen et la décision du cas seront du ressort exclusif du Ministre ou du Chargé d'Affaires ou du Consul de Russie, en vertu de la juridiction qui leur est déférée sur leurs nationaux.

Implication of Subjects of other Nations.

Si un sujet Russe se trouve impliqué avec des individus d'une autre nation, dans un procès criminel, il ne pourra être poursuivi, ni inquiété d'aucune manière, à moins de preuves de sa participation au crime, et dans ce cas même comme dans celui où un sujet Russe serait prévenu de culpabilité directe, les tribunaux du pays ne pourront procéder à la connaissance et au jugement du crime qu'en présence d'un délégué de la Mission ou de Consulat de Russie, et s'il ne s'en trouve pas sur le lieu où le délit a été commis, les autorités locales feront transporter le délinquant là, où il y a un Consul ou un agent Russe constitué.

Witnesses.

Les témoignages à charge et à décharge du prévenu seront fidèlement recueillis par le Hakim et par le Juge de l'endroit, et revêtu de leur signature; transmis dans cette forme là où le délit devra être jugé, ces témoignages deviendront des documents ou pièces authentiques du procès, à moins que l'accusé ne démontre évidemment la fausseté.

Deportation of convicted Criminals to Russia to undergo punishment.

Lorsque le prévenu aura été dûment convaincu et que la sentence aura été prononcée, le délinquant sera remis au Ministre, Chargé d'Affaires ou Consul de Sa Majesté Impériale qui le renverra en Russie pour y reçevoir le châtiment porté par les lois.

Enforcement of foregoing Stipulations.

ART. IX. Les Hautes Parties Contractantes veilleront à ce

que les stipulations du présent Acte soient strictement observées et remplies, et les Gouverneurs de leurs Provinces, Commandants et autres autorités respectives ne se permettront dans aucun cas d'y contrevenir, sous peine d'une grave responsabilité et même de destitution en cas de récidive duement avérée.

A cette fin, nous Soussignés Plénipotentiaires de Sa Majesté l'Empereur des toutes les Russies, et de Sa Majesté le Schah de Perse, avons réglé et arrêté les stipulations contenues dans le présent Acte, lesquelles sont la conséquence de l'Article du Traité principal conclu ce même jour à Deckargane,* et auront la même force et valeur que si elles étaient inserées mot à mot et ratifiées.

En conséquence de quoi le présent Acte séparé, fait double, a été signé par nous, munis de nos cachets respectifs et échangés.

Fait au village de Tourkmantchaî, le $\frac{10}{22}$ Février de l'an de Grâce 1828, et le 5 Schebone de l'an 1243 de l'Egyre.

(L.S.) J. PASKEVITCH. (L.S.) ABBAS MIRZA.
(L.S.) A. OBRESCOFF.

PROTOCOL (Procès-Verbal) between Persia and Russia, respecting the Ceremonial to be observed on the reception of Ambassadors and other Diplomatic Agents. Signed at Tourkmantchaî, 22nd February, 1828.

LES Plenipotentiaires de la Russie et de la Perse s'étant reunis à l'effet de régler conformément à l'Article IX du Traité principal de ce jour,† un Cérémonial convenable pour la reception des Ambassadeurs, des Ministres, et des Chargés d'Affaires, qui pourraient être réciproquement délégués auprès de leurs cours respectives, il a été arrêté d'un accord commun, ce qui suit.

Dès que le Ministre Persan aura reçu l'avis officiel de l'arrivé d'un Ambassadeur Russe à Tiflis, il fera choix sans perte de temps d'un individu d'un rang correspondant à la dignité de l'Ambassadeur, et il l'enverra à sa rencontre jusqu'à la frontière. Le Ministre Persan informera en même temps le Commandant-en-Chef de Géorgie du départ du *Mehmandar* ou de l'individu choisi pour accompagner l'Ambassadeur en lui indiquant le jour de son arrivé probable à la frontière. L'Ambassadeur aura soin de son côté de calculer son voyage de manière à pourvoir y arriver à peu près en même temps que lui. Du moment que le *Mehmandar* a rencontré l'Ambassadeur, il devient responsable de Son Excellence et des honneurs et des égards qui lui sont dus.

L'Ambassadeur sera reçu à chaque station par un *Isteekbal* ou députation composée du chef ou du principal de l'endroit, des notables et d'une suite convenable. Si l'Ambassadeur

* Deckargané is a town near Tourkmantchaî. See Treaty of Tourkmantchaî page 117.
† Page 121.

s'arrête dans un lieu, chef d'une province, le Gouverneur (*le Hakim*) se placera lui-même à la tête de la députation, pour complimenter Son Excellence, et il l'accompagnera jusqu'au logement qui aura été préparé pour Elle.

Si l'Ambassadeur s'arrête dans une ville qui est gouvernée par un fils de Sa Majesté le Shah, le Prince Gouverneur de la ville enverra son Vizir à la rencontre de l'Ambassadeur pour le complimenter. Si Son Excellence fait une visite au Prince, l'Ambassadeur et tous les individus composant l'Ambassade seront invités à s'asseoir et l'on présentera une chaise à son Excellence.

Partout où il se trouvera des troupes sur le passage de Son Excellence, elles seront sous les armes et lui rendront tous les honneurs militaires qui seront d'usage.

Le *Mehmandar* aura soin d'informer en bon temps le Ministère Persan de l'arrivée prochain de l'Ambassadeur, à fin qu'il puisse faire les préparations necessaires à son entrée et à sa reception solennelle.

Parvenu à la dernière station de la Capitale ou du camp où se trouverait Sa Majesté le Shah, l'Ambassadeur sera reçu par un personage de marque au nom de son auguste Maître. A chemin de la Capital ou du camp, Son Excellence sera rencontrée par une grande deputation du Shah laquelle sera conduite par un des grands dignitaires de sa cour.

La garnison de la ville ou du camp presentera les armes à Son Excellence et lui rendra les honneurs militaires qui lui sont dus et le chef de la députation du Roi conduira aussitôt l'Ambassadeur à la demeure qui aura été preparée pour lui et où Son Excellence trouvera une garde d' honneur.

Le lendemain de son arrivée les Ministres du Roi et les grands dignitaires de la Couronne rendront visite à Son Excellence. Le surlendemain Elle aura son audience solennelle chez Sa Majesté le Shah, et le Grand Maître des Cérémonies viendra lui annoncer à l'heure convenue que tout est prêt pour sa reception. L'Ambassadeur se mettra alors en marche dans l'ordre suivant.

Les Farraches du Shah ouvriront le cortège; ils seront suivis d'une partie de la garde ou des valets de pied de l'Ambassadeur, Son Excellence montant le cheval de parade envoyé par le Shah ou le sien propre, précédée d'un Ecuyer du Roi, ayant à sa droite le personnel de l'Ambassade et sa suite, et à sa gauche le Maître des Cérémonies et ayant des deux côtés les coureurs du Roi, suivra immediatement après, un détachement de la garde de l'Ambassadeur ou ses valets de pied et des Farraches du Roi fermeront le cortège.

Les troupes qui seront placés dans l'enceint du palais ou du Camp Royal jusqu'à l'entrée des cours intérieures ou Saraperdé (Tente Royale), présenteront les armes à l'Ambassadeur. Le Maître des Cérémonies qui précédé Son Excellence aura soin que tous ceux qui se trouveront sur son passage se tiennent debout.

L'Ambassadeur mettra pied à terre à l'entrée des cours intérieures ou Saraperdé et sera conduit dans l'apartement du Premier Ministre, ou dans la tente du Sipih Salar (Général-en-Chef), où Son Excellence reposera quelques instants jusqu'à la sortie de Roi.

L'Ambassadeur avec sa suite, précédé du Grand Maître des Cérémonies, entrera alors dans l'encient des cours intérieurs ou Saraperdé. Les gardes ou les valets de pied de Son Excellence resteront dans l'encient extérieur. Le Grand Maître des Cérémonies ayant annoncé Son Excellence à Sa Majesté, l'invitera de la part du Roi, à entrer dans l'appartement ou dans le tente, et Son Excellence, y sera admise avec toute sa suite, mais il ne sera pas exigé dans aucun cas, ni de l'Ambassadeur ni des individus composant sa suite, qu'il soit apporté aucune modification au costume dont ils seront révêtus. Toujours Son Excellence et sa suite auront soin de se pourvoir de galoches, qu'elles déposeront avant d'entrer dans l'appartement ou dans la tente. Après avoir harangué le Shah, l'Ambassadeur sera prie par Sa Majesté de s'asseoir et on présentera à Son Excellence une chaise. La conference finie, l'Ambassadeur retournera dans le même ordre dans lequel il est venu, sans pourtant entrer dans l'appartement du Grand Vizir ou dans la tente du Sipih Salar. Après cette première audience solennelle, l'Ambassadeur rendra les visites qu'il a reçues.

Ce cérémonial reste le même pour la reception d'un Ministre, ou d'un Chargé d'Affaires Russe, excepté que les employés qu'on enverra à leur rencontre seront d'un rang inférieur, leur suite sera moin nombreuse et que toute le garrison ne sortira pas pour eux. Les troupes qui occupent les corps de garde leur présenteront seul les armes. Le Premier Ministre de Sa Majesté le Shah ne leur fera pas la première visite mais il le leur rendra sans faute le lendemain.

Si l'Ambassadeur le Ministre ou le Chargé d'Affaires Russe est porteur d'une lettre de Son Souverain, Sa Majesté le Shah de la Perse la recevra de ses propres mains.

Le même cérémonial sera aussi observé par la Russie à l'égard de l'Ambassadeur des Ministres ou des Chargés d'Affaires Persan, qui viendront à la cour de St. Pétersbourg, en égard néanmoins à la differencę des usages existans dans les deux pays.

Le present procès verbal, fait double, revêtu de la signature des Plénipotentiaires respectifs et muni des cachets de leurs armes, aura la même force et le même valeur que s'il était inseré mot à mot au Traité Principal de ce jour.

Fait au village de Tourkmantchaî le $\frac{1}{22}$ de Février de l'an de Grâce 1828, et le 5 de Schebone de l'an 1243 de l'Egyre.

L.S. JEAN PASKÉVITCH.
L.S. A. D'OBRESCOFF.

CONVENTION entre la Russie et la Perse, pour l'interprétation de l'Article XIV du Traité de Paix de Tourkmantchaî (du 22 Fevrier, 1828).—Conclue à Téhéran, le 3 Juillet, 1844.*

Arrest of Subjects of either State entering the Territories of the other without Passports.

DANS le but de faire cesser les désordres et les abus que les habitants des provinces limitrophes de la Russie et de la Perse font souvent de la transmigration, les fondés de pouvoirs des 2 Parties Contractantes, avec la permission et l'autorisation de leurs Gouvernements respectifs, ont signé l'arrangement suivant:

ART. I. Les sujets des 2 Puissances ne pourront désormais passer d'un pays dans l'autre sans passeport et sans permis en règle de leur Gouvernement.

ART. II. Tout individu sujet de l'un des 2 Gouvernements qui se rendrait sur le territoire de l'autre, sans s'être pourvu d'un passeport, sera arrêté et livré aux autorités frontières les plus proches, ou bien au Ministre, Chargé d'Affaires, ou Consul de sa nation, avec tous les objets d'habillements, d'armements, &c., dont il sera porteur.

ART. III. Toute demande que les sujets des 2 Etats addresseront à leur Gouvernement pour obtenir l'autorisation d'émigrer, devra se faire sans intervention étrangère.

ART. IV. Si les préposés des 2 Gouvernements, en considération de l'amitié qui les unit, demandent l'un à l'autre des passeports, on ne les refusera pas pour quelques familles, à moins qu'il n'y ait des empêchements légaux.

Signé à Téhéran le 3 Juillet, 1844, (28 Djoumadi-el-sani 1260).

(L.S.) HADJI-MIRZA-AGASSY. (L.S.) A. MEDEM.

AGREEMENT between Russia and Persia, recognizing the River Attrek as forming the Boundary between the two States on the East Coast of the Caspian Sea. 13th December, 1869.†

ON the 13th December, 1869, the following Agreement was signed between Russia and Persia recognizing the sovereignty of Persia up to the banks of the Attrek:—

"His Majesty the Shah having on the 12th instant (4th December) requested the Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor, to explain for what object the fort at Kizil Soo (Krasnovodsk) was being constructed, and having also required an assurance

* February 22, 1828. "State Papers," Vol. 15, page 669.
† See Further Convention, 21st December, 1881, page 136.

that the Russian authorities would in no way interfere with the affairs of the Yemoot Turkomans, and of those living on the Attrek and Goorgan Rivers; also, that no fort or stronghold should hereafter be built at the embouchures of the Attrek or Goorgan Rivers; and likewise that they should not interfere in any way with the possessions of Persia, but that the Persian Government should continue to maintain the authority they have hitherto held in respect to these tribes and their territories, in accordance with the wish expressed by His Majesty the Shah, the Undersigned lost no time in referring by telegraph to the Ministry of Foreign Affairs of His Majesty the Emperor, and he has now the pleasure to bring to the knowledge of the Ministers of His Majesty the Shah the reply which he has just received to the effect that the Government of His Majesty the Emperor recognizes the authority and sovereignty of Persia up to the banks of the Attrek River, and that they have no intention to construct any fort.

"M. BEGER."

On the 26th March, 1873, the British Chargé d'Affaires at Teheran (Mr. R. Thomson) reported that the Persian Government considered that the Declaration made by Russia on the 13th December, 1869, had no reference to the territory in the interior towards Khorassan, but regarded only the territory adjoining the Province of Asterabad, that is to say, from the Caspian Sea, at the mouth of the Attrek, along the banks of that river for about 30 miles, to where the Goorgan district ended.*

CONVENTION between Russia and Persia, for the construction of a Telegraph Line from Chekishlar to Asterabad.—$\frac{19th}{31st}$ *January,* 1881.

(Translation.)

As the Telegraph Convention of the $\frac{12}{24}$th May, 1879 (2nd Jemadu-es Sanee. 1296), contracted between the Ministry for Foreign Affairs and the Russian Legation at Tehran has expired, and the Russian Government wish to keep up communication with their military authorities on the east coast of the Caspian Sea, the Undersigned have agreed upon the following Articles:—

ART. I. In order that the aforesaid communications may pass through without loss of time, the Persian Government

* See also Convention of 21st December, 1881, page 136.

engage to protect as far as is in their power such telegraph wires of the Chekishlar-Astrabad line as pass through Persian territory. In virtue of Article XI of the Convention of the $\frac{12}{24}$th May, 1879,* the lines which have been constructed on Persian territory have become the property of the Persian Government, which now engages to protect them and keep them in working order, that is to say, their "exploitation," and the horsemen who are employed to protect the telegraph lines will accompany the Russian telegraph employés on their inspection of these lines.

ART. II. The Russian Government on its side engages to pay all expenses of repairs to the wires from Chekishlar to Astrabad during the time that this Convention is in force. The Persian Government also engages not to claim customs duty for any material and implements which may be necessary for the construction and keeping in repair of the said line.

ART. III. The Persian Government will give permission for stationing Russian telegraph officers at Persian stations from Zulfa to Chekishlar whenever they may be deemed requisite for the transmission of messages in due order and without delay, and their duties and rights will be the same as those enacted in the Convention of the $\frac{12}{24}$th May, 1879.

ART. IV. For messages in transit between Zulfa and Astrabad, and also between Russian stations on the eastern side of the Caspian and Tehran, with the Persian telegraph stations to the north of that place, in conformity with the Arrangement of the 2nd April, 1880, between the Governments of Russia and Persia, which is known in French as the "Déclaration," the Persian Government is to receive 30 centimes a word, and between Russian stations on the east of the Caspian and the south of Tehran 60 centimes will be paid to the Persian Government.

ART. V. The transmission of all Government messages passing over Persian lines between Astrabad and Zulfa will take precedence of all private messages from Persian telegraph stations, but not of the official messages of the Persian Government.

ART. VI. In order that no delay should take place in the transmission of messages between Zulfa and Astrabad, the lines must be inspected and repaired; therefore the Persian Government engages to set aside one-tenth of the amount received by Persia for messages, in virtue of this Convention, for the necessary repairs, and the Persian Telegraph Department shall expend that amount in making the said repairs, unless in the case of its being found that so large a sum is not required for that purpose.

ART. VII. This Convention will be in force so long as the Russian Government requires to keep up telegraphic communi-

* Expired. See Preamble.

cations with its military authorities in the Caspian, and when no longer necessary for such communication the Russian Government will without delay inform the Persian Government of the fact.

(L.S.) JEAN ZINOVIEW.
(L.S.) MIRZA SAÏD KHAN.

30 Sefer, 1298 ($\frac{19th}{31st}$ January, 1881).

CONVENTION between Persia and Russia, defining the Boundary between the two Countries East of the Caspian Sea (Akhal-Khorassan Boundary).—Signed at Tehran, $\frac{9th}{21st}$ December, 1881.†*

[Ratifications exchanged at Tehran, $\frac{11th}{23rd}$ March, 1882.]

TABLE OF CONTENTS.

Art.
I. Frontier between Russia and Persia, east of the Caspian Sea.
II. Commissioners to be Appointed to Trace the Boundary in Detail.
III. Persia to Evacuate Forts of Giamab and Kulkulab, reserving right to Withdraw Inhabitants within Persian Territory. Russia not to Erect Fortifications, or to establish Turcoman Families within those localities.
IV. Persia not to interfere with Water Supply flowing to Akhal through Persian territory, nor to increase number of Villages or extent of Land now under cultivation along sources of the River Firuzé and other streams.
V. Commercial Intercourse between Akhal and Khorassan; Construction of Roads.
VI. Neither Russia nor Persia to allow Arms or War Material to be supplied to the Turcomans.

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* From "State Papers," Vol. 72, page 97.

† This Convention was laid before Parliament in 1882, with Correspondence respecting the Affairs of Central Asia, and formed an inclosure in the following despatch:—

"*Mr. Thomson to Earl Granville.*—(*Received 6th March.*)

"My Lord, "*Tehran, 23rd January*, 1882.

"I have the honour to transmit herewith, for your Lordship's information, translation of the Akhal-Khorassan Boundary Treaty, lately concluded between Russia and Persia, as reported in my telegram of the 4th January.

"This translation has been made from the Russian text by Mr. Stephen. Comparing it with the Persian version, I observe that the terms employed in Article V are not the same in both languages. In the Russian text it is stated that both Governments engage, with a view to the development of commercial intercourse between the Trans-Caspian province and Khorassan, to come to a mutually advantageous agreement for the construction of waggon-roads between the above-mentioned provinces; whereas in the Persian version of this clause it is said that, in order to facilitate commercial operations between the Trans-Caspian provinces and that of Khorassan, the two Contracting Powers engage, as regards the construction of waggon-roads for the transport of merchandize between the aforesaid countries, to make such arrangements as may be of mutual advantage to them.

"The Minister for Foreign Affairs has informed me that the Nasseer-ed-Dowleh, who was formerly employed in the Persian Foreign Office, and lately in the Ministry of Justice, will be named Commissioner under Article II of this Convention for the local demarcation of the line of frontier, on the basis agreed upon in Article I. "I have, &c.,

"*Earl Granville.* "RONALD F. THOMSON."

MAP

OF

AKHAL-KHORASSAN BOUNDARY

December 1881.

COPY

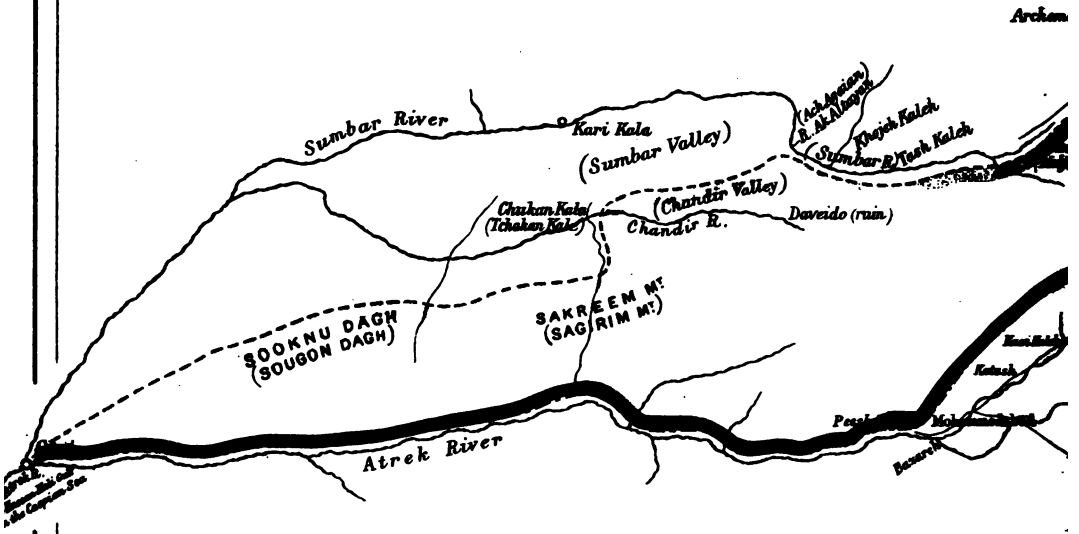
FUR

RUSSIAN MINISTER IN TEH

FOR NEGOCIATION

BOUNDAI

DECEM



Frontier claimed by Russia .....

Frontier agreed to by Persia .....

Note. Course of Atrek river from Peesh Kaleh to Koochan was originally claimed by Russia as line of frontier.

Scale $\frac{1}{1260,000}$ *or* 10 versts or 6·629 miles = ⅓ inch

10 5 0 10 20 30 statute miles.

10 5 0 10 20 30 40 50 versts.

Harrison & Sons.

MAP

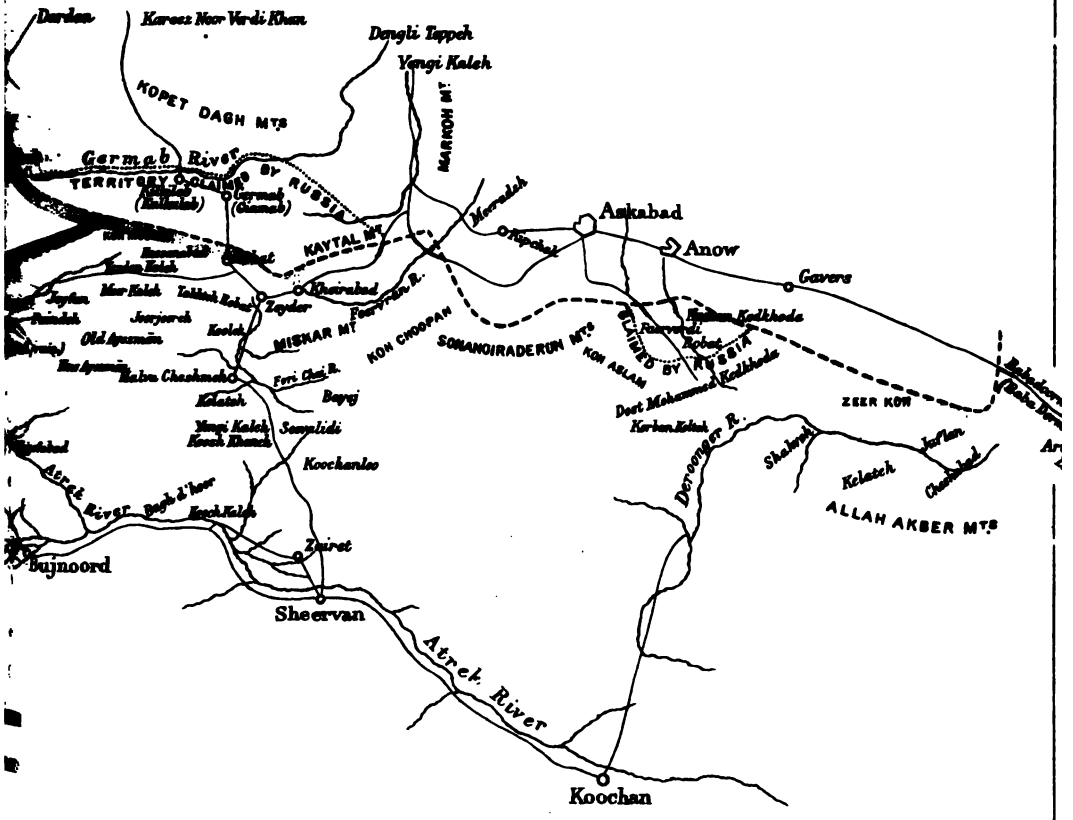
OF THE

H TO PERSIAN GOVERNMENT

AKHAL-KHORASSAN

QUESTION

1881.



MAP

OF

AKHAL-KHORASSAN BOUNDARY

December 1881.

VII. Appointment of Russian Agents in Persian Frontier Towns to Preserve Order and Tranquillity among Turcomans.
VIII. Confirmation of all existing Treaties, &c., between Russia and Persia.
IX. Ratifications.

(Translation.)

In the name of God the Almighty.

HIS Majesty the Shah of Persia and His Majesty the Emperor and Autocrat of All the Russias, acknowledging the necessity of accurately defining the frontier of their Possessions east of the Caspian Sea, and of establishing therein security and tranquillity, have agreed to conclude a Convention for that purpose, and have appointed as their Plenipotentiaries:

His Majesty the Shah of Persia, on the one hand, Mirza Saïd Khan, Moutemid-ul-Mulk, his Minister for Foreign Affairs;

His Majesty the Emperor and Autocrat of all the Russias, on the other, Ivan Zenovief, his Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the Shah;

Who, having exchanged their respective full powers, found in good and due form, have agreed on the following Articles:—

Frontier between Russia and Persia East of the Caspian Sea.

ART. I. The frontier-line between the Possessions of the Russian Empire and Persia, east of the Caspian Sea, is fixed as follows:—

Beginning at the Hasan Kuli Gulf, the course of the River Atrek serves as the frontier as far as Chat. From Chat the frontier-line follows in a north-easterly direction the ridges of the Songou Dagh and Sagirim ranges, thence extending northward to the Chandir River, reaching the bed of that river at Tchakan Kale. From Tchakan Kale it runs in a northerly direction to the ridge of the mountains dividing the Chandir and Sumbar valleys, and extends along the ridge of these mountains in an easterly direction, descending to the bed of the Sumbar at the spot where the Ach-Agaian stream falls into it. From this point eastward the bed of the Sumbar marks the frontier as far as the ruins of Medjet Dainé. Thence the road to Durrun forms the frontier-line as far as the ridge of the Kopet Dagh, along the ridge of which the frontier extends south-eastward, but before reaching the upper part of the Giamab Pass turns to the south along the mountain heights dividing the valley of the Sumbar from the source of the Giamab. Thence taking a south-easterly direction across the summits of the Misino and Tchoubest Mountains, it reaches the road from Giamab to Rabab, passing at a distance of 1 verst to the north of the latter spot. From this point the frontier-line runs along the ridge of the mountains as far as the summit of the Dalang Mountain, whence, passing on the northern side of the village of Khairabad, it extends in a north-easterly direction as far as the boundaries of Geok Keital. From the boundaries of Geok Keital the frontier-line crosses to the gorge

of the River Firuzé, intersecting that gorge on the northern side of the village of Firuzé. Thence the frontier-line takes a south-easterly direction to the summits of the mountain-range bounding on the south the valley, through which the road from Askabad to Firuzé passes, and runs along the crest of these mountains to the most easterly point of the range. From here the frontier line crosses over to the northernmost summit of the Aselm range, passing along its ridge in a south-easterly direction, and then skirting round to the north of the village of Keltechinar, it runs to the point where the Ziri Kou and Kizil Dagh Mountains join, extending thence south-eastward along the summits of the Ziri Kou range, until it issues into the valley of the Baba Durmaz stream. It then takes a northerly direction, and reaches the oasis at the road from Gavars to Lutfabad, leaving the fortress of Baba Durmaz to the east.*

Commissioners to be appointed to trace the Boundary in detail.

ART. II. Whereas, in Article I of the present Convention, the principal points are indicated through which the frontier between the possessions of Russia and Persia is to pass, the High Contracting Parties are to appoint Special Commissioners, with a view of accurately tracing on the spot the frontier-line, and of erecting proper boundary-marks. The date and place of meeting of the said Commissioners shall be mutually agreed upon by the High Contracting Parties.

Persia to evacuate Forts of Giamab and Kulkulab, reserving right to withdraw Inhabitants within Persian Territory.

ART. III. Whereas the forts of Giamab and Kulkulab, situated in the gorge through which the stream watering the soil of the Trans-Caspian province passes, lie to the north of the line which, in virtue of Article I of the present Convention, is to serve as the boundary between the territories of the two High Contracting Parties, the Government of His Majesty the Shah engage to evacuate the said forts within the space of one year from the date of the exchange of the ratifications of the present Convention, but shall have the right during the said period to remove the inhabitants of Giamab and Kulkulab to within the Persian frontier, and to establish them there.

Russia not to erect Fortifications or to establish Turcoman Families within those localities.

On its part, the Government of the Emperor of All the Russias engage not to erect fortifications in these said localities nor to establish any Turcoman families therein.

* The Russo-Persian frontier has been technically marked out as far as Baba Durmaz, but no steps have apparently yet been taken to complete the delimitation technically between Baba Durmaz and the Heri-Rud.

Persia not to interfere with Water Supply flowing to Akhal through Persian Territory; nor to increase number of Villages or extent of land now under cultivation along sources of River Firuzé and other Streams.

ART. IV. Whereas the sources of the River Firuzé, as well as of other streams watering the soil of the Trans-Caspian province contiguous to the Persian frontier, lie within the Persian territory, the Government of His Majesty the Shah engage on no account whatever to permit the establishment of fresh Settlements along the course of the said streams and rivulets from their sources to the point where they leave Persian territory, and not to extend the area of land at present under cultivation, and under no pretence whatever to turn off the water in larger quantities than is necessary for irrigating the fields now under cultivation within the Persian territory. With a view to the immediate observance and fulfilment of this stipulation the Government of His Majesty the Shah engage to appoint a sufficient number of competent Agents, and to subject any infringer thereof to severe punishment.

Commercial Intercourse between Akhal and Khorassan. Construction of Roads.

ART. V.* With a view to the development of commercial intercourse between the Trans-Caspian province and Khorassan, both High Contracting Parties engage to come to a mutually advantageous agreement as soon as possible for the construction of waggon-roads suitable for commercial traffic between the above-mentioned provinces.

Neither Russia nor Persia to allow Arms or War Material to be supplied to the Turcomans.

ART. VI. The Government of His Majesty the Shah of Persia engage to strictly prohibit the export from His Majesty's dominions, along the whole extent of the frontier of the Provinces of Asterabad and Khorassan, of all arms and war material, and likewise to adopt measures to prevent arms being supplied to the Turcomans residing in Persian territory. The Persian frontier authorities shall afford the most effective support to the Agents of the Imperial Russian Government, whose duty it shall be to watch that arms are not exported from the Persian territory. The Government of His Majesty the Emperor of All the Russias, on its part, engage to prevent arms and war material being supplied from Russian territory to Turcomans living in Persia.

* See note, page 136.

Appointment of Russian Agents in Persian Frontier Towns to preserve order and tranquillity among Turcomans.

ART. VII. With a view to the observance and fulfilment of the stipulations of the present Convention, and in order to regulate the proceedings of the Turcomans residing on the Persian frontier, the Government of His Majesty the Emperor of All the Russias shall have the right to nominate Agents to the frontier points of Persia. In all questions concerning the observance of order and tranquillity in the districts contiguous to the possessions of the High Contracting Parties, the appointed Agents will act as intermediaries in the relations between the Russian and Persian authorities.

Confirmation of all Treaties, &c., between Russia and Persia.

ART. VIII. All engagements and stipulations contained in Treaties and Conventions concluded up to this time between the two High Contracting Parties shall remain in force.

Ratifications.

ART. IX. The present Convention, done in duplicate, and signed by the Plenipotentiaries of both parties, who have affixed to it the seal of their arms, shall be confirmed and ratified by His Majesty the Shah of Persia and His Majesty the Emperor and Autocrat of All the Russias; the ratifications to be exchanged between the Plenipotentiaries of both parties at Tehran within the space of four months, or earlier if possible.

Done at Tehran, the $\frac{9th}{21st}$ December, 1881, which corresponds to the Mussulman date of the 29th Muharrem, 1299.

(L.S.) MIRZA-SAÏD-KHAN, *Minister of Foreign Affairs of Persia.*

(L.S.) IVAN ZENOVIEF.

TREATY of Friendship and Commerce between Spain and Persia. Signed at Constantinople, 4th March, 1842.*

[Ratifications exchanged at Constantinople, 13th November, 1850.]

TABLE OF CONTENTS.

Art.
I. Friendship.
II. Right to Travel and Trade, and Hire Houses, &c.
III. Merchants and Travellers. Customs Dues and other Imposts.
IV. Appointment of Commercial Agents at certain Places in either Country.
V. Jurisdiction. Civil Suits between Subjects of either Country. Intervention of Consular Agents. Bankruptcies. Debts of Deceased Subjects.
VI. Non-interruption of Friendly Relations in event of War with any other Power.
VII. Ratifications. Treaty to be perpetual.

* From "State Papers," Vol. 50, page 592. Confirmed by Treaty of 9th February, 1870, page 144.

(Translation.)

In the name of God Almighty.

THE Courts of Spain and of Iran, equally animated with the desire of affording to the industry and commerce of their respective countries all possible incitements and facilities, and persuaded that nothing can contribute so much to the attainment of such a desirable object as the arrangement and stipulation of the relations which are to exist in future between the subjects of the two Powers, founding them on principles of justice and mutual convenience, have resolved by common consent to adjust and conclude a solemn Treaty of Friendship and Commerce, which shall specify their beneficent intentions, and for that purpose have thought fit to appoint as their Plenipotentiaries, that is to say:

Her Majesty Donna Isabella II, Queen of the Spains, and in her august name, and during her minority, the Regent of the Kingdom, Don Baldomero Espartero, Duke of la Victoria and of Morella, Don Antonio Lopez de Córdoba, &c., &c.; and

His Majesty Muhammed Shah Kadzar, Sovereign King of the vast provinces of Iran, the most Excellent and Illustrious Mirza Djaafer Khan, his confidential Minister, Inspector-in-Chief of the Engineer Corps of the Persian Army, his Ambassador and Minister Plenipotentiary to the Sublime Ottoman Porte, &c., &c.

Who, after exhibiting to each other their full powers, and finding them in order and due form, have agreed upon the following seven Articles:

Friendship.

ART. I. From this day henceforward, and for ever, there shall be perfect friendship and constant good understanding between the States and subjects of Her Majesty the Queen of Spain and the States and subjects of His Majesty the Shah of Persia.

Right to Travel and Trade, and Hire Houses, &c.

ART. II. The subjects of the two High Contracting Parties may in future traverse their respective dominions in full freedom, carry on trade therein, rent houses, warehouses, and shops for their business, and the local authorities cannot prevent their doing so for any cause or pretext; the said authorities shall take the greatest pains to preserve them from all inconvenience, continually watch over their tranquillity, pay them the greatest attention, and treat them in the best manner, so that they may not experience prejudice, obstacle, or vexation of any kind in their travels and occupations; and for the greater security of their persons they shall obtain without difficulty or delay such orders and passports as they may require.

Merchants and Travellers.

ART. III. The subjects of both High Courts who may proceed to any of their dominions as merchants, traders, or travellers, shall be received and treated from their arrival to their departure with the proper distinction, and they shall always be exempt from all taxes or other contributions.

Customs Dues and other Imposts.

Traders who import or export merchandize in their respective States, shall pay the same Customs dues and other imposts, and in the same manner and form as the subjects of the most favoured nations.

Appointment of Commercial Agents at certain Places and in either Country.

ART. IV. To secure more completely the tranquillity and confidence of their respective subjects, established in or passing through the territory of each of them, the two High Contracting Powers reserve to themselves the right of appointing Commercial Agents to reside in the most suitable places, to protect their subjects and watch over the welfare of their persons and interests. The High Court of Spain will allow a Commercial Agent appointed by the Persian Government to be established in the capital, Madrid, and another at Barcelona, or instead of the latter place in any other Spanish port that may be preferred. The High Court of Iran will also agree to the establishment of a Commercial Agent, appointed by the Spanish Government, in the capital, Teheran, and another at Tauris.*

Jurisdiction. Civil Suits between Subjects of either Country: Intervention of Commercial Agents.

ART. V. In any cases of altercation, dispute, or litigation occurring between subjects of the two High Contracting Parties, upon mercantile affairs, or those of any kind, the cause can neither be decided nor tried without the previous consent and intervention of the Commercial Agent, or in the name of that functionary, in presence of the interpreter of his Government, and all in accordance with the laws and customs of the country.

Bankruptcies.

If any of the subjects of the said Powers should fail or be declared in a state of bankruptcy, an examination shall be made of all their property, their effects and accounts, for the purpose of arranging a proper liquidation, and making a just distribution *pro ratâ* amongst their creditors, who at the end of all these proceedings must give up the securities which they possess, after having received their shares.

* Tabreez.

Debts of Deceased Subjects.

If any subject of the two Courts should die, the respective Commercial Agent shall take charge of all that belonged to him, in order that, after payment of the debts left by the deceased, he may make proper use of the whole according to the laws and customs of his country.

Non-interruption of Friendly Relations in event of War with any other Power.

ART. VI. In case of war between one of the two High Contracting Parties and any other Power, not the least diminution or alteration shall occur on that account in the good understanding, or in the firm and sincere friendship which are to exist for ever between the High Courts of Spain and Iran.

Ratifications. Treaty to be Perpetual.

ART. VII. The present Treaty of Friendship and of Commerce shall, with the favour of God, be faithfully observed and maintained reciprocally and perpetually, and without suffering the least detriment or contravention of its contents; and the Plenipotentiaries of the two High Contracting Parties engage to exchange the respective ratifications at Constantinople in the term of 5 months, or before, if possible.*

Conclusion.—These 7 Articles having been stipulated and agreed to in the manner and form preceding, the two aforesaid Plenipotentiaries have agreed to the present Treaty, drawn up in two copies, each of them signed and sealed in their respective languages, and have exchanged with each other the proper authenticated instrument.

Done at Constantinople, the 4th day of March, 1842, and of the Hegira, the 21st Muharrem, 1258.

(L.S.) ANTONIO LOPEZ DE CORDOBA.
(L.S.) MIRZA DJAAFER.

* Ratifications exchanged 13th November, 1850.

TREATY of Friendship and Commerce between Spain and Persia. Signed in London, 9th February, 1870.*

[Ratifications exchanged in London, 18th June, 1872.]

TABLE OF CONTENTS.

Art.
Preamble. Delay in Execution of Treaty of 4th March, 1842.
I. Confirmation of Treaty of 4th March, 1842.
II. Appointment of Consuls at other Places than those mentioned in Treaty of 1842.
III. Ditto.
IV. French Text to be observed.
V. Ratifications.

(Translation.)

Preamble. Delay in Execution of Treaty of 4th March, 1842.

In the Name of God Almighty.

HIS Highness the Regent of the Kingdom of Spain, and His Majesty the Shah of Persia, equally animated by the desire of drawing closer the relations of friendship happily established between the two States by the Treaty concluded on the 4th of March, 1842, and 21 Muharrem, 1258, of the Hegira,† the execution whereof has been retarded by causes independent of the will of the two High Contracting Parties; and likewise desiring to contribute to the establishment and development of the commerce between the two countries, have resolved to stipulate and conclude the present Treaty, and for that purpose have appointed as their Plenipotentiaries, that is to say:

His Highness the Regent of the Kingdom of Spain, D. Manuel Rancés y Villanueva, Envoy Extraordinary and Minister Plenipotentiary of Spain to Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, &c.;

His Majesty the King of Persia, Hadji Sheik Mohsin Khan, General of Division in the Persian Army, Resident Minister of Persia at the Court of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, &c.

Who, after having communicated to each other their full powers, and found them in order and due form, have agreed upon the following Articles:—

Confirmation of Treaty of 4th March, 1842.

ART. I. The stipulations contained in the Treaty concluded between the kingdoms of Spain and of Iran, on the 4th of March, 1842. and 21 Muharrem, 1258,† of the Hegira, are expressly ratified by the present Treaty, of which they are to be considered integral parts.

* From "State Papers," Vol. 62, page 878.
† Page 140.

Appointment of Consuls at other Places than those mentioned in Treaty of 1842.

ART. II. In the interest of both countries and for the purpose of providing greater facilities for the development of commerce, it is agreed that the Spanish Government may establish a Consulate, either in the Port of Bendir-Bushir* or in some other of the Persian Gulf, at its choice; and, reciprocally the Government of Persia may establish a Consulate at Cadiz, or in the Spanish port that it may select for this purpose.

The Consular representation, then, shall be established on the part of Spain at Teheran, Tauris,† and Bendir-Bushir,* or the port specified by the Spanish Government, and on the part of Persia at Madrid, Barcelona, Cadiz, or the port selected by His Majesty the Shah's Government.

Appointment of Consuls at other Places than those mentioned in Treaty of 1842.

ART. III. As it is the intention of the two High Contracting Parties to concede reciprocally to the respective commerce the advantages enjoyed by the most favoured nation, it is stipulated from this time that in case the interests of the commerce should in future require an increase in the number of the Consular Agents stipulated by the present Treaty, the said two High Contracting Parties shall come to an agreement in order to provide for the fresh necessities demonstrated by experience.

French Text to be observed.

ART. IV. The present Treaty shall be drawn up in Spanish and Persian, and each of the Plenipotentiaries shall keep the corresponding authentic instrument, furnished with the usual formalities. A translation shall be made in the French language; and the Plenipotentiaries, after having recognised its conformity with the original, shall also sign and seal two copies thereof, each Plenipotentiary keeping one of them.

The French text shall decide in case of doubts.

Ratifications.

ART. V. The present Treaty shall be ratified, and the ratifications shall be exchanged in London by the respective Legations, as soon as possible.

In faith whereof the above-mentioned Plenipotentiaries have signed it, and affixed to it their respective seals.

Done in London on the 9th day of February, in the year of grace, 1870, and of the Hegira, the 8th of Zilkaada, 1286.

(L.S.) M. RANCES Y VILLANUEVA.
(L.S.) H. CH. MOHSIN KHAN.

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* Bushire. † Tabreez.

*TREATY of Friendship and Commerce between Persia and Sweden and Norway.—Signed at Paris, 17th November, 1857.**

[Ratified at Teheran, February, 1858, and at Stockholm, 2nd March, 1858.]

TABLE OF CONTENTS.

Art.
I. Friendship.
II. Reception of Ambassadors and Ministers Plenipotentiary.
III. Right of Subjects of either Country to Reside and Trade in Territories of the other. Right to Import or Export Merchandise, &c. Internal Trade to be carried on subject to Laws of the Country.
IV. Customs Dues on Imports and Exports. Taxes.
V. Appointment of Consuls at certain Places in either Country. Consular Privileges. Non-Protection of Natives. Position of Trading Consuls.
VI. Duration of Treaty.

Au nom de Dieu clément et miséricordieux!

SA Majesté Oscar I:r, Roi de Suède et de Norvége, des Goths et des Vandales:

Et Sa Majesté, dont l'étendard est le Soleil, le Sacré, l'Auguste, le Grand Monarque, le Roi des Rois, le Souverain absolu de tous les états de Perse;

L'un et l'autre également et sincèrement désireux d'établir des rapports d'amitié entre leurs états respectifs, ont voulu les consolider par un Traité d'Amitié et de Commerce réciproquement avantageux et utile aux sujets des Deux Hautes Parties Contractantes, et à cet effet ont désigné pour Leurs Plénipotentiaires:

Sa Majesté le Roi de Suède et de Norvége le Sieur Louis Baron de Manderström, Son Chambellan, Son Envoyé Extraordinaire et Ministre Plénipotentiaire, Grand Croix de Son Ordre de l'Etoile Polaire, Chevalier de l'Ordre de Charles XIII, Commandeur de celui de S:t Olave de Norvége, Grand' Croix de l'Ordre du Lion Néerlandais et de celui de Dannebrog, &c.

Et Sa Majesté l'Empereur de toute la Perse Son Excellence Ferrokh Khan Emin-ol-Molk, Grand Ambassadeur du sublime Empire de Perse, Porteur du portrait Royal et du cordon Bleu, et de la ceinture de Diamants, &c.

Et les Deux Plénipotentiaires s'étant réunis à Paris, ayant échangé Leurs Plein-pouvoirs, et les ayant trouvés en bonne et due forme, ont arrêté les Articles suivants:—

Friendship.

ART. I. A dater de ce jour, il y aura amitié sincère et une constante bonne intelligence entre les Royaumes de Suède et de Norvége et tous les sujets Suédois et Norvégiens, et l'Empire de Perse et tous les sujets Persans.

* From "State Papers," Vol. 75, page 906.

Reception of Ambassadors and Ministers Plenipotentiary.

ART. II. Les Ambassadeurs ou Ministres Plénipotentiaires, qu'il plairait à chacune des Deux Hautes Parties d'envoyer et d'entretenir auprès de l'autre, seront reçus et traités dans les pays respectifs, eux et tout le personnel de Leur mission, comme sont reçus et traités les Ambassadeurs ou Ministres Plénipotentiaires des Nations les plus favorisées, et ils y jouiront de tout point des mêmes prérogatives et immunités.

Right of Subjects of either Country to Reside and Trade in Territories of the other.

ART. III. Les sujets des Deux Hautes Parties Contractantes, voyageurs, négociants, industriels et autres, soit qu'ils résident sur le territoire de l'un ou de l'autre Etat, seront respectés et efficacement protégés par les autorités du pays et leurs propres Agents, et traités à tous égards comme le sont les sujets de la nation la plus favorisée.

Right to Import or Export Merchandise, &c.

Ils pourront réciproquement apporter par terre et par mer dans l'un et l'autre état et en exporter toute espèce de marchandises et de produits, les vendre, les échanger, les acheter, les transporter en tous lieux sur le territoire de l'un et de l'autre état.

Internal Trade to be carried on subject to Laws of the Country.

Mais il est bien entendu que les sujets de l'un et de l'autre état, qui se livreraient au commerce intérieur, seront soumis aux lois du pays, où ils font le commerce.

Customs Dues on Imports and Exports. Taxes.

ART. IV. Les navires respectifs et les marchandises importées ou exportées par les sujets respectifs des deux Hautes Parties Contractantes ne paieront dans l'un et dans l'autre Etat, soit à l'entrée, soit à la sortie, que les mêmes droits que payent à l'entrée et à la sortie dans l'un et l'autre état les navires ainsi que les marchandises et produits importés et exportés par les marchands et sujets de la nation la plus favorisée, et nulle taxe exceptionnelle ne pourra sous aucun nom et sous aucun prétexte être réclamée dans l'un comme dans l'autre état.

Appointment of Consuls at certain Places in either Country.

ART. V. Pour la protection de leurs sujets et de leur commerce respectifs, et pour faciliter de bonnes et équitables relations entre les sujets des Hautes Parties Contractantes, Elles se réservent la faculté de nommer chacune trois Consuls. Les Consuls de Suède et de Norvége résideront à Téhéran, à Bender Bouchir* et à Tauris ;† les Consuls de Perse résideront à Stockholm, à Christiania et à Gothembourg.

* Bushire. † Tabreez.

Consular Privileges.

Les Consuls des deux Hautes Parties Contractantes jouiront réciproquement sur le territoire de l'un et de l'autre état, où sera établie leur résidence, du respect, des priviléges et des immunités accordés dans l'un et l'autre état aux Consuls de la nation la plus favorisée.

Non-Protection of Natives.

Les Agens diplomatiques et les Consuls de Suède et de Norvége ne protégeront ni publiquement ni secrètement les sujets Persans.

Les Agens diplomatiques et les Consuls Persans ne protégeront ni publiquement ni secrètement les sujets Suédois et Norvégiens.

Position of Trading Consuls.

Les Consuls des Gouvernemens contractants, qui dans l'un et l'autre état se livreraient au commerce, seront soumis aux mêmes usages, auxquels sont soumis leurs nationaux faisant le même commerce.

Duration of Treaty. (*Till* 1870, *and then terminable after* 12 *months' notice.*)

ART. VI. Le présent Traité de Commerce et d'Amitié, cimenté par la sincère amitié et la confiance qui règnent entre les royaumes bien conservés de Suède et de Norvége et de Perse, sera, Dieu aidant, fidèlement observé et maintenu de part et d'autre pendant 12 ans, à dater du jour où les ratifications seront échangées. Mais, si une année avant l'expiration du terme fixé, aucune des Deux Hautes Parties Contractantes n'a annoncé officiellement à l'autre l'intention d'en faire cesser les effets, il continuera à rester en vigueur pour les Deux Hautes Parties pendant un an, à dater du jour où il aura été dénoncé, quelle que soit l'époque à laquelle cette déclaration aura eu lieu.

Les Plénipotentiaires des Deux Hautes Parties Contractantes s'engagent à ce que l'échange des ratifications de leurs Augustes Souverains ait lieu, soit à Constantinople, dans l'espace d'un an ou plutôt, si faire se peut.*

En foi de quoi les Deux Plénipotentiaires respectifs des Deux Hautes Parties Contractantes ont signé le présent Traité et y ont apposé Leurs Sceaux.

Fait double en Français et en Persan le 17 du mois de Novembre de l'an du Christ 1857, et le trente du mois de Rabbi-ol avval de l'Hégire, l'année 1264.

(L.S.) L. MANDERSTROM.
(L.S.) FERROKH-KHAN.

* Ratified at Teheran, February, 1858, and at Stockholm, 2nd March, 1858.

TRAITE d'Amitié et de Commerce entre la Suisse et la Perse. Signé à Genève, le 23rd Juillet, 1873.*

[Ratifications échangées à Paris, le 27 Octobre, 1874.]

TABLE OF CONTENTS.

Art.
I. Friendship.
II. Reception of Ambassadors and other Diplomatic Agents.
III. Right of Subjects of either country to Reside and Trade in Territories of the other. Most-Favoured-Nation Treatment. Right to Import and Export Merchandise, &c. Internal Trade to be carried on subject to Laws of the Country.
IV. Customs' Dues on Imports and Exports; Taxes. Most-Favoured-Nation Treatment.
V. Jurisdiction. Civil Suits between Swiss Citizens. Civil Suits between Swiss Citizens and Persian Subjects. Civil Suits between Natives and Subjects of other Powers. Criminal Jurisdiction.
VI. Succession to Property of Deceased Citizens or Subjects.
VII. Appointment of Consuls at certain Places in either country. Consular Privileges. Non-protection of Natives. Position of Trading Consuls.
VIII. Duration of Treaty.
IX. Ratifications.

LE Conseil Fédéral de la Confédération Suisse et Sa Majesté l'Empereur de tous les Etats de Perse, également et sincèrement désireux d'établir des rapports d'amitié entre la Suisse et la Perse, ont voulu les consolider par un Traité d'Amitié et de Commerce, également avantageux aux citoyens et sujets des deux pays. A cet effet, ils ont désigné pour leurs Plénipotentiaires, savoir:

Le Conseil Fédéral de la Confédération Suisse, Monsieur Jean-Conrad Kern, son Envoyé Extraordinaire et Ministre Plénipotentiaire près la République Française; et

Sa Majesté l'Empereur de tous les Etats de Perse, Monsieur le Général Nazare-Aga, son Envoyé Extraordinaire et Ministre Plénipotentiaire près la République Française;

Lesquels, ayant échangé leurs pleins-pouvoirs et les ayant reconnus en bonne et due forme, ont arrêté les Articles suivants:

Friendship.

ART. I. A dater de ce jour, il y aura amitié sincère et constante bonne intelligence entre la Confédération Suisse et tous les citoyens Suisses, d'une part, et l'Empire de Perse et tous les sujets Persans, d'autre part.

Reception of Ambassadors and other Diplomatic Agents.

ART. II. Les Ambassadeurs, Ministres Plénipotentiaires et autres, Agents Diplomatiques qu'il plairait à chacune des deux

* From "State Papers," Vol. 63, page 625.

Hautes Parties Contractantes d'envoyer et d'entretenir auprès de l'autre, seront reçus et traités dans les deux pays respectifs, eux et tout le personnel de leur mission, comme sont reçus et traités, dans les deux pays respectifs, les Ambassadeurs, Ministres Plénipotentiaires, et autres Agents Diplomatiques des nations les plus favorisées, et ils y jouiront de tout point des mêmes prérogatives et immunités.

Right of Subject of either Country to Reside and Trade in Territories of the other. Most-Favoured-Nation Treatment.

ART. III. Les citoyens ou les sujets des deux Hautes Parties Contractantes, voyageurs, négociants, industriels et autres, soit qu'ils se déplacent, soit qu'ils résident sur le territoire de l'un ou de l'autre Etat, seront respectés et efficacement protégés par les Autorités du pays et leurs propres agents, et traités à tous égards comme le sont les citoyens ou les sujets de la nation la plus favorisée.

Right to Import and Export Merchandise, &c.

Ils pourront réciproquement importer dans l'un et dans l'autre Etat, et en exporter toute espèce de marchandises et de produits, les vendre, les échanger, les acheter, les transporter en tous lieux sur le territoire de l'un et de l'autre Etat.

Internal Trade to be carried on subject to Laws of the Country.

Mais il est bien entendu que les citoyens et sujets de l'un et de l'autre Etat qui se livreraient au commerce intérieur, seront soumis aux lois du pays où ils feront le commerce.

Customs Dues on Imports and Exports. Taxes. Most-Favoured-Nation Treatment.

ART. IV. Les marchandises importées ou exportées par les citoyens et sujets respectifs des deux Hautes Parties Contractantes ne paieront, dans l'un et l'autre Etat, soit à l'entrée, soit à la sortie, que les mêmes droits que paient, à l'entrée et à la sortie dans l'un et l'autre Etat, les marchandises et produits importés et exportés par les marchands et sujets de la nation la plus favorisée, et nulle taxe exceptionnelle ne pourra, sous aucun nom et sous aucun prétexte, être réclamée dans l'un comme dans l'autre Etat.

Jurisdiction. Civil Suits between Swiss Citizens.

ART. V. Les procès, contestations et disputes qui, dans l'Empire de Perse, viendraient à s'élever entre des citoyens Suisses, seront référés, en totalité, à l'arrêt et à la décision de l'Agent ou Consul Suisse qui residera dans la province où ces procès, contestations et disputes auraient été soulevés, ou dans la province la plus voisine. Il en décidera d'après les lois Suisses.

Jurisdiction. Civil Suits between Swiss Citizens and Persian Subjects.

Les procès, contestations et disputes soulevés en Perse entre des citoyens Suisses et des sujets Persans, seront portés devant le tribunal Persan, juge ordinaire de ces matières, au lieu où résidera un Agent ou un Consul Suisse, et discutés et jugés selon l'équité, en présence d'un employé de l'Agent ou du Consul Suisse.

Jurisdiction. Civil Suits between Natives and Subjects of other Powers.

Les procès, contestations et disputes soulevés en Perse entre des citoyens Suisse et des sujets appartenant à d'autres Puissances également étrangères, seront jugés et terminés par l'intermédiaire de leurs Agents ou Consuls respectifs.

En Suisse, les sujets Persans seront également, dans toutes leurs contestations, soit entre eux, soit avec des Suisses ou des étrangers, jugés suivant le mode adopté en Suisse envers les sujets de la nation la plus favorisée.

Criminal Jurisdiction.

Quant aux affaires de la juridiction criminelle dans lesquelles seraient compromis des citoyens Suisses en Perse, des sujets Persans en Suisse, elles seront jugées en Suisse et en Perse, suivant le mode adopté dans les deux pays envers les sujets de la nation la plus favorisée.

Succession to Property of Deceased Citizens or Subjects.

ART. VI. En cas des décès de l'un de leurs citoyens ou sujets respectifs sur le territoire de l'un ou de l'autre Etat, sa succession sera remise intégralement à la famille ou aux associés, du défunt s'il en a. Si le défunt n'avait ni parents ni associés, sa succession, dans l'un comme dans l'autre pays, sera remise à la garde de l'Agent ou du Consul de la nation du citoyen ou du sujet décédé, pour que celui-ci en fasse l'usage convenable, conformément aux lois et coutumes de son pays.

Appointment of Consuls at certain Places in either Country.

ART. VII. Pour la protection de leurs citoyens ou sujets et de leur commerce respectifs, et pour faciliter de bonnes et équitables relations entre les citoyens et sujets des deux Etats, les deux Hautes Parties Contractantes se réservent la faculté de nommer chacune 3 Consuls.

Les Consuls de Suisse auront leur résidence à Téhéran, à Bender-Bouchir, et à Tauris. Le Gouvernement Persan pourra choisir les résidences de ses Consuls en Suisse.

Consular Privileges.

Les Consuls des deux Hautes Parties Contractantes jouiront réciproquement, sur le territoire de l'un ou de l'autre Etat où sera établie leur résidence, du respect, des priviléges et des immunités accordés dans l'un et l'autre Etat aux Consuls de la nation la plus favorisée.

Non-Protection of Natives.

Les Agents Diplomatiques et les Consuls Suisses ne protégeront ni publiquement ni secrètement les sujets Persans.

Les Agents Diplomatiques et les Consuls Persans ne protégeront ni publiquement ni secrètement les citoyens Suisses.

Position of Trading Consuls.

Les Consuls des deux Gouvernements Contractants, qui dans l'un et l'autre Etat se livreraient au commerce, seront soumis, en ce qui concerne leur négoce, aux mêmes lois et aux mêmes usages auxquels sont soumis leurs nationaux faisant le même commerce.

Duration of Treaty. (*Till 22nd October*, 1886, *and then terminable after* 12 *months' notice.*)

ART. VIII. Le présent Traité d'Amitié et de Commerce, cimenté par la sincère amitié et la confiance qui règnent entre les deux Etats, sera, Dieu aidant, fidèlement observé et maintenu de part et d'autre pendant 12 ans, à dater du jour où les ratifications seront échangés.* Mais si, une année avant l'expiration du terme fixé, aucune des deux Hautes Parties Contractantes n'a annoncé officiellement à l'autre l'intention d'en faire cesser les effets, il demeurera obligatoire jusqu'à l'expiration d'une année à partir du jour où l'une ou l'autre des Hautes Parties Contractantes l'aura dénoncé, quelle que soit l'époque à laquelle cette déclaration aura lieu.

Ratifications.

ART. IX. Le présent Traité sera ratifié et les ratifications en seront échangées à Paris dans un an ou plus tôt si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs des deux Hautes Parties Contractantes ont signé le présent Traité, et y ont apposé le cachet de leurs armes.

Fait double à Genève, le 23 Juillet, 1873 (28 Djemadi-Ouvla 1290 de l'année de l'Hégire).

(L.S.) KERN.
(L.S.) NAZARE-AGA.

* Ratifications exchanged, 22nd October, 1874.

*TRAITE de Paix entre la Turquie et la Perse, le 23 Octobre, 1727.**

TABLE OF CONTENTS.

Art.
Preamble.
I. Province of Huveise and Jurisdiction of Sultanie.
II. Mecca Pilgrims.
III. Persian Ambassador at the Porte.
IV. Persian Commerce.
V. Right of Persians to visit Temple of Immamaazem.
VI. Hussein Bey to be set at Liberty.
VII. Annual Payment to be made by Persia to Turkey. Terms of Peace. Ratification.

Traité de Paix entre Eschreff Schach de Perse & le Grand Seigneur, contenu dans une Lettre du Schach à Sa Hautesse, du 23 Octobre, 1727.

Au nom de Dieu miséricordieux!

PREAMBLE.

LOUÉ soit Dieu qui m'a fait la grâce de me mettre au nombre des Fidèles, & de me créer pour poursuivre les Hérétiques qui sont en abomination à tout le monde. Loué soit aussi notre Prophète Mahomet, Bien-aimé de Dieu; & le Seigneur benisse jusqu'au dernier jour sa Postérité, & tous ceux qui sont aimez de lui!

Sur ce je prens la hardiesse de faire une très-humble Proposition à V. H., vous qui desservez les 2 Villes Sacrées de la Mecque & de Médine, Roi des Rois d'Arabie, Gouverneur d'un grand nombre de Nations, Défenseur de la Foi Mahométane, Soutien des Armées & de tous ceux qui combattent pour la Foi, Vicaire du Prince, Protecteur des Savans, Exterminateur des Infidèles qui croyent plus d'une Divinité, Réformateur de la Religion, le plus illustre des Monarques du tems passé, Vainqueur des Mécréans, Propagateur de la Justice, Extirpateur des Idoles & de ceux qui croyent plus d'une Personne dans la Divinité, Haut & Puissant Monarque, le plus célèbre des Souverains, l'asyle & la consolation de tous les hommes, l'Ombre de Dieu sur la Terre, l'Empereur & le Refuge du monde, Dieu veuille combler votre Personne & vos Etats de toutes sortes de prospéritez, & vous accorder jusqu'au dernier jour la continuation de ses bénédictions!

Et afin que nous achevions notre Traité suivant les termes de l'Alcoran, qui dit: "Soumettez-vous à Dieu, au Prophète & à ceux qui ont l'autorité absolue, nous avons résolu de prendre ce chemin d'obéissance, & de l'avis des Commissaires nommez de part et d'autre, nous sommes convenus de la Paix aux conditions suivantes:

* Dumont, Vol. 2, Part 2, Supplement, page 208. The first Treaty concluded between Persia and Turkey was signed during the reign of Sultan Murad IV, on the 1st of Shawal, A.H. 1049 (A.D. 1639), with reference to the delimitation of the Frontier.

Province of Huveise and Jurisdiction of Sultanie.

ART. I. Que la Province d'Huveise et la Jurisdiction de Sultanie doivent être cédées à V. H. comme faisant partie du Royaume de Perse.

Mecca Pilgrims.

ART. II. Que de notre côté nous devons nommer tous les ans un Conducteur des Pèlerins qui vont à la Mecque.

Persian Ambassador at the Porte.

ART. III. Que nous aurons toujours un Ambassadeur à la Porte, selon l'ancien usage.

Persian Commerce.

ART. IV. Qu'il sera libre à tous les Marchands d'exercer leur Commerce, qui seul peut rendre un Etat florissant.

Right of Persians to visit Temple of Immamaazem.

ART. V. Qu'il sera permis de visiter le Temple d'Immamaazem, sans que personne puisse y former aucun obstacle.

Hussein Bey to be set at Liberty.

ART. VI. Que Hussein Bey, de la Race de Bracki, Peuple de Lesgi, qui est détenu par les Muscovites, sera mis en liberté.

Annual Payment to be made by Persia to Turkey.

ART. VII. Qu'il sera payé tous les ans au Trésor de V. H. 1,500 Bourses, chacune de 500 Rixdalers en espèces.

Terms of Peace.

C'est sur ce pied-là que la Paix doit être gardée, tant pour le présent que pour l'avenir, & ce conformément à l'Alcoran, qui veut que tous les Musulmans soient véritablement Frères, qu'ils entretiennent entre eux une amitié fraternelle, & qu'ils ne donnent lieu à aucune haine ni division.

Puis donc que nous nous soumettons à l'obéissance & aux ordres absolus de V. H. Elle accordera aussi de son côté que tout soit exécuté selon la teneur de notre Convention.

Ratification.

Et afin que cette Convention soit fermement & fidèlement exécutée à jamais & que rien n'y soit changé, nous attendons la Ratification de V. H. espérant qu'elle y consentira & ne permettra pas qu'il y soit fait aucun changement.

MEHEMED EMER ESCHREFF KAN.

TRAITÉ de Paix entre la Turquie et la Perse. Janvier, 1746.*

(La Ratification Impériale a eu lieu vers la mi-Zilhidjé de la même année.)

[Referred to in Treaty of 28th July, 1823.]

TABLE OF CONTENTS.

Art.
Preamble.
Basis of Treaty—Maintenance of Limits.
I. Persian Pilgrims proceeding to Mecca.
II. Reception of Diplomatic Agents.
III. Release of Prisoners.
Maintenance of Limits fixed by previous Treaty.
Religion. Pilgrims to Mecca, Medina, and other Holy Places.
Customs Dues.
Non-protection of Fugitives. Extradition.
Ratifications.

Traité de Paix conclu, vers le commencement de 1746, *entre le Sultan Mahomet, Empereur des Turcs, & le Schach Nadyr, Roi de Perse.*

Preamble.

(Traduction.)

AU Nom de Dieu très-miséricordieux. Grâces soient rendues à cet Etre Suprême, & louanges à son sacré Prophète, à sa sainte Famille & à ses illustres Compagnons.

Les Lettres, qui ont été ci-devant adressées à la Porte de Félicité de la part de Sa Maj. Persanne, ont fait voir que par l'Assistance Divine, & par le concours des Grands du Roïaume de Perse, assemblés dans la grande Plaine située dans le Mougan, les jeunes & les vieux avoient, d'une voix unanime et sans aucune restriction, choisi pour l'ornement du Trône de leur Capitale le Très-Haut et Très-Généreux Prince, aussi brillant que la Lune, aussi éclatant que le Soleil, le gage précieux du Monde & de la Religion, le centre de la beauté du Musulmanisme & des Musulmans, le Monarque dont les Troupes égalent le nombre des Etoiles, celui qui est aujourd'hui assis sur le Trône de Cosroës & de Dgem ;† le Schah Nadyr, dont Dieu perpétue la gloire & la prospérité!

Sa Maj. Persanne, à l'exemple de ses glorieux Ancêtres, attachée au Hanésisme‡ des vrais Musulmans, & ne pouvant souffrir la conduite blâmable de cette Nation, refusoit déjà d'accepter la Couronne, lorsque ces Peuples s'empressèrent à lui donner des preuves de leur aveugle soumission à ses ordres, en abandonnant les mauvais Principes qui jusqu'alors avoient servi de fondemens à leurs dérèglemens.

* Rousset, Vol. 19, page 477.
† Names of two of the ancient and famous Kings of Persia.
‡ One of the four Orthodox Sects, the one most followed among the Turks.

Les sentimens de religion & de générosité, profondément gravés dans le cœur de Sa Maj. Persanne, lui inspirèrent bientôt un véritable désir de mettre fin à tout ce qui pouvoit contribuer depuis si longtems à fomenter le feu de l'inimitié, & à aiguiser les traits de la vengeance entre la Turquie & la Perse.

Il envisagea comme un service insigne & important à ses Etats, à la Sublime Porte & à tous les Musulmans, de faire revivre parmi eux l'ancienne Union, qui avoit fait un tems leur bonheur.

Il écrivit dans ce dessein d'augustes Lettres au très-vertueux Empereur des Ottomans, pour remettre entre les mains de Sa Hautesse la gloire de couronner l'œuvre glorieuse & mémorable, qui faisoit le plus cher objet de ses vœux.

De cinq Articles qui composoient les Propositions de Sa Maj. Persanne, l'on applanit les difficultés sur trois, & on les accepta comme étant de pure politique, & dépendant absolument du bon plaisir de Sa Hautesse; mais la rigueur des Loix n'aïant été trouvée susceptible d'aucun tempérament pour les deux autres Articles, l'on représenta plusieurs fois à Sa Maj. Persanne, qu'on en appelloit à sa discrétion & à son équité.

Les Décrets éternels s'opposoient encore à l'exécution d'un projet, dont le succès étoit depuis si long tems désiré, et une fermeté mal entenduë fomentoit encore l'animosité des Parties, lorsque Sa Maj. Persanne envoïa dernièrement à la Sublime Porte des Lettres, par lesquelles Elle témoignoit que ses vœux n'aïant pour but ni Possessions, ni biens, ni inimitié, ni guerre, il avoit sous ses augustes auspices ramené, & réüni dans la voïe droite des vrais Musulmans tous les Habitans de la Perse, pour procurer au Peuple du Prophète le repos & la tranquillité, en faisant succéder à une Guerre odieuse les avantages d'une heureuse Paix.

Ces Lettres contenoient, à la vérité, quelques Propositions nouvelles concernant les Limites, mais comme elles étoient conçues en forme d'insinuations, & dans les termes les plus ménagés, & que Sa Maj. Persanne, bien loin d'appuïer sur sa demande, en remettoit entièrement le refus ou l'acceptation à l'équitable choix de Sa Maj. Khalifale, celle-ci, sensible à cette façon de traiter amicale, se détermina à entrer en Negociations pacifiques.

Sa Maj. Impériale, l'Ombre de Dieu, écrivit, en conséquence, une Lettre Impériale pour faire part à Sa Maj. Persanne que, par le résultat d'un grand Conseil tenu à la Sublime Porte de Félicité, il avoit résolu de vérifier & de soussigner en tout point entre les deux Puissances le Proverbe de *Præteriit quod præteriit.* Qu'à l'égard de sa nouvelle demande aïant été regardée comme contraire aux Loix & aux Canons, il convenoit pour la bonne union des Parties que Sa Maj. Persanne voulût bien s'en désister, pour donner son auguste & heureux consentement à un Traité, entièrement dépouillé de tout point susceptible de tâche & de deshonneur pour la Maj. des Hauts Contractans, proposant pour base de ce Traité celui qui avoit été arrêté & conclu pour les

Confins & Limites sous le règne de l'Empereur Sultan Murad Khan IV,* qui jouït en l'autre Monde du printemps du Paradis; qu'au reste Sa Maj. Persanne devoit être assurée qu'à cette Condition, rien ne pourroit désormais ébranler les fondemens & les arcboutans de l'Amitié de l'Union réciproques, tant qu'il auroit en mains les Rennes de la Félicité, & qu'il auroit le pied dans le brillant Etrier de la Fortune, & non seulement sous son glorieux Règne, mais encore sous celui de ses Descendans & de ses Successeurs.

Sa Maj. Impériale, l'Ombre de Dieu, me députa à cet effet en qualité d'Envoïe, me chargeant d'une agréable Lettre Impériale, qui accordoit au Très-puissant, Très-clément & Très-magnifique Ahmed Pacha, Gouverneur de Bagdad & Bassora, & Séraskier de ce Département, le pouvoir spécial pour entamer & terminer les opérations de cette Négociation dans le forme ci-dessus, & je fus pareillement honoré pour moi d'une Lettre dans le même sens. Ahmed Pacha me donna pour adjoint l'Effendi de son Divan, le Très-éclairé Vely Effendi, avec lequel je me rendis en Perse. Aussi-tôt que nous fûmes heureusement arrivés au Camp Roïal de Sa Maj. Persanne, entre Tharan & Casbin, j'eus l'honneur de lui présenter la Lettre Impériale de l'auguste asyle du Khalyfat, en lui représentant avec tout le respect dû à Sa Maj. tout ce qui m'avoit été recommandé & ordonné, et Sa Maj. aïant témoigné le penchant et le désir sincère qu'Elle avoit de terminer & de conclure ce Traité selon les intentions & les inspirations de S. Hautesse, Elle nomma quelques personnes de sa Cour pour conférer avec nous sur l'œuvre pieuse de cette Pacification, dont nous parvînmes à la conclusion dans une seule Conférence, en établissant une Base, une Condition, trois Articles & un Appendice, qui font tout le contenu de ce Traité; & sur le compte qu'on en rendit à Sa Maj. Persanne, Elle permit d'en dresser & d'en signer l'Acte de part & d'autre.

On verra ci-après la teneur de la Base, de la Condition, des trois Articles & de l'Appendix de ce Traité, depuis si longtems désiré pour l'union & la tranquillité du Peuple du Prophète, & conclu en conséquence du pouvoir spécial, dont j'ai été muni & honoré dans la forme ci-dessus par l'Empereur, l'asyle de Musulmanisme, le Monarque miroir de la Justice, le Prince des Princes, l'Ombre de Dieu, le possesseur des Troupes qui égalent le nombre des Etoiles, le Dépositaire du Khalifat, le Serviteur des deux sacrées & nobles Villes,† le Maître des deux Terres & des deux Mers, le Sultan, Fils du Sultan, le Très-puissant, Très-redoubtable, Très-magnanime & Très-généreux Empereur Sultan Mahmoud le Conquérant, Fils du Sultan Moustafa le Conquérant, dont Dieu illustre le Règne & prolonge les jours!

* 16th September, 1639. See Professor Creasy's "History of the Ottoman Turks," Vol. 1, page 412. Sultan Murad Khan IV reigned from 1623 to 1640.

† Mecca and Medina.

Maintenance of Limits.

Base du Traité.—On observera de part & d'autre sans altération, changement, ni diminution, les Confins & Limites qui ont jusqu'à présent été observées, & qui ont été réglées dans la dernière Paix prise aujourd'hui pour modèle, & conclue autre fois sous le Règne glorieux du Très-puissant Empereur Sultan Murad Khan IV,* qui jouït dans l'autre Monde du printems du Paradis.

Condition.—En accordant & en observant envers les deux Parties, dans la forme convenable, tout ce qui est dû à leur honneur & à leur gloire, l'on évitera soigneusement tout ce qui peut être réciproquement susceptible de distinction de Religion & de deshonneur.

Persian Pilgrims proceeding to Mecca.

ART. I. Quand les Pèlerins de Perse iront à la Mecque, par la voïe de Bagdad et de Damas, les Gouverneurs, les Juges & Emir-haggs,† qui se trouveront sur ces routes, donneront toute leur attention pour protéger, & soutenir en toute occasion ces sortes de Pèlerins, & pour les faire arriver sains & saufs.

Reception of Diplomatic Agents.

ART. II. Pour manifester au Public la bonne intelligence & l'union des deux Cours, la Sublime Porte enverra une personne pour résider à la Cour de Perse, & celle-ci pareillement en enverra une pour résider à la Porte de Félicité, & ces Chargés d'Affaires seront défraïés & raisonnablement entretenus comme les hôtes des Cours où ils résideront, & seront changés tout les trois ans.

Release of Prisoners.

ART. III. On élargira de part & d'autre les prisonniers respectifs; on ne pourra les vendre ni les acheter, & on ne s'opposera point à leur départ dans les endroits où ils ne voudront pas rester, quand ils demanderont à se repatrier.

Maintenance of Limits fixed by previous Treaty.

Appendice.—Comme les Confins & Limites sont réglés selon la teneur ci-dessus, conformément au Traité conclu sous le Règne du Sultan Murad IV,* les Gouverneurs des Confins réciproques observèront avec exactitude tout ce qui se pratiquoit anciennement, & se donneront bien de garde de contrevenir en rien à la condition de ce Traité, dans les Affaires qui pourront survenir concernant les Confins.

* See Note on preceding page.
† The Title of those charged by the Porte to conduct the Mecca Caravan.

Religion. Pilgrims to Mecca, Medina, and other Holy Places.

Puisque par un effet de la Grâce Divine, les Habitans de la Perse ont entièrement renoncé aux Maximes illicites innovées sous les Sophis, qu'ils sont rentrés dans le giron du Musulmanisme, en acceptant les anciens Dogmes des Sunnites ou vrais Musulmans, & qu'ils chantent les loüanges & les éloges des Khalifes Rachidins, & des autres illustres Compagnons sur qui soit la Bénédiction de Dieu, les Pèlerins, qui iront dans la suite à la Mecque, à Médine, & dans tous les Etats Musulmans, seront traités avec tous les égards possibles, comme tous les autres Musulmans, & l'on se donnera bien garde de les inquiéter & les molester, & d'exiger d'eux la moindre chose sous le nom de *Dérirmé.*

Religion. Customs Dues.

Quand les Marchands des deux Nations auront païé, selon l'exigence des lieux, la Doüane des Marchandises qu'ils apporteront dans les Etats respectifs, ou ne pourra les molester par aucune autre exaction.

Persian Pilgrims to Mecca, Medina, and other Holy Places.

Lorsqu'il viendra de Perse à la Mecque & à Médine, & aux Tombeaux situés à Bagdad, des Pèlerins, qui, attirés par la seule dévotion de Pèlerinage, n'auront point avec eux des Marchandises, les Juges & autres Officiers ne pourront exiger d'eux aucun droit, ni les inquiéter en aucune façon sans raison légitime.

Non-protection of Fugitives. Extradition.

Si après la date du présent Traité, quelqu'un des Sujets & des Rayas des deux Cours venoit à se réfugier dans les Etats respectifs, il ne sera accordé aucune protection à de pareils fugitifs; ils seront au contraire rendus aux Chargés d'Affaires réciproques sur la demande qu'ils en feront.

Tant que l'on observera exactement de part & d'autre les Articles ci-dessus, on ne négligera rien pour perpétuer cette heureuse Paix, même sous le règne des Descendans & des Successeurs des Hauts Contractans, sans autre borne que la volonté de l'Etre suprême.

Ratifications.

Conclusion.—La Paix étant enfin conclue dans la forme ci-dessus par l'assistance du Très-Haut, il a aussi été arrêté que vers le premier jour de la nouvelle Année de l'Egire 1160, les deux Cours s'enverront des Ambassadeurs Extraordinaires du même rang, avec la Ratification du Traité, & le Très-puissant & Très-magnifique Hassan-Aly-Khan, l'un des plus illustres Khans de la Perse, nous aïant remis, en vertu de ses Pleins-pouvoirs, l'Ecrit scellé portant le consentement de Sa Maj.

Persanne à la Base, à la Condition, aux trois Articles & à l'Appendice ci-dessus, nous l'avons reçu & accepté, vu qu'il est conforme à nos instructions, & avons pareillement présenté & remis en échange à Sa Maj. Persanne le présent Ecrit, signé & scellé par le susdit très-puissant & très-clément Ahmed Pacha, & par moi en vertu de nos Pouvoirs.

Fait le 17 de la Lune de Chabon l'an de l'Egire 1159, ou vers le commencement de Janvier, 1746.

HASSAN ALI KHAN.
AHMED PACHA.

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*TREATY of Peace between Turkey and Persia.—January, 1747.**

TABLE OF CONTENTS.

Art.
Preamble.
Parts of Provinces of Irak and Azarbigian ceded by Persia to Turkey.
Perpetual Friendship.
I. Persian Pilgrims.
II. Commissioners to be appointed to receive Mutual Tributes.
III. Freedom of Slaves. Slave-trading; Religion.
Frontier Disturbances.
Pilgrims to Mecca, Medina, or other Holy Cities.
Customs Duties.
Observance of Stipulations of Treaty.

Traité de Paix entre Nader Chah, Empereur de Perse, & le Sultan Mahmoud, Empereur des Turcs.

PREAMBLE.

(Traduction.)

GLOIRE soit à Dieu, qui a plongé dans le sommeil les yeux de la commotion, en éveillant les cœurs des monarques; qui a fait découler la fontaine de la paix parmi le genre humain, en arrêtant le cours de la rivière de la discorde entre les Rois, & les puissans Sultans; qui a rétabli par leur amicable agrément désordre des affaires des fidèles croyans; qui a dépouillé leurs le cœurs de tout ressentiment, afin de pouvoir guérir l'âme blessée de son peuple; qui a déraciné toute haine & inimité de leur sein, & leur a ordonné de garder inviolablement leurs Traités, ainsi que dit le livre à jamais glorieux: O vous qui croyez, gardez vos Conventions!

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* Wenck, Vol. 2, page 305.

Puisse à présent le Très-Haut être gracieux envers son Prophète Mohammed, dont le siège est exalté; envers sa Famille & ses Compagnons, & particulièrement ses successeurs, les Califes, qui marchent dans la voie droite, & qui usent d'une extrême diligence, pour maintenir la vraie Religion!

Après ces prémises, il suit: Dans les vastes plaines de Mogan, le peuple de l'Iran désira, que nous acceptassions le diadême royal; mais voyant les troubles que les hérésies de Chah Ismail avoient suscités dans la Perse, & l'inimitié qu'elles avoient causée entre les Turcs & les Persans; considérant aussi, que la secte des Sunnis étoit suivie par nos nobles ancêtres, & grands progéniteurs, nous refusâmes leur proposition. Mais après plusieurs instances réitérées, nous consentimes de régner sur eux, sous condition, qu'ils abjureroient de coeur & de bouche leurs anciennes erreurs, & reconnoitroient la légitime succession des grands Califes (auxquels Dieu soit favorable!) ils consentirent à nos demandes, & quittèrent leurs hérésies.

Maintenant, puisne Sa Haute Majesté, exaltée au-dessus des autres rois de monde, qui a le pouvoir de Salomon, l'éclat du soleil, le protecteur des fidèles croyans, le vainqueur des infidèles, le roi des deux continens & des deux mers, un second Iskander Zoulkarnein, serviteur des deux cités sacrées, l'Empereur & Victorieux Sultan Mahmoud Khan, dont Dieu a étendu l'ombre sur tout l'univers, véritable Calife des croyans, & lumière de la famille Turcmane, nous a demandé l'accroissement de notre amitié, nous, en conséquence, espérant la continuation de ces sentimens favorables, la dispensons de deux des Articles, que nous avions proposés, & ne demandons que la confirmation des trois autres, pour l'uniformité de religion, & pour la préservation de notre empire, désirant à cette Négociation une conclusion heureuse.

Et quand même nous n'aurions pas eu l'intention d'écarter tout sujet d'aliénation entre nous, & de donner la paix à nos sujets, en faisant fleurir les boutons de rose et cet amicable Traité, nous aurions, néanmoins, pour l'honneur des fidèles croyans, notifié à Sa Haute Majesté, exaltée ainsi que Salomon, notre changement fortuné de religion, & la désertion de nos anciennes erreurs.

Parts of Provinces of Irak and Azarbigian ceded by Persia to Turkey.

Comme quelques parties des Provinces de l'Irak, & de l'Azarbigian, pendant le règne agité de Chah Ismail, furent transférées à la Cour Ottomane, afin qu'il ne reste aucun sujet de complainte, nous donnons, en présent, un de ces Territoires à Sa Majesté l'Empereur des Turcs. Et puisque dans la lettre royale, que le très-noble Netif Effendi nous a portée, Sa très-haute Majesté désire d'établir l'amour & la bienveillance entre les deux Empires, de génération à génération, de notre part nous croyons, que la confirmation de cette amitié, & la tranquillité de nos Dominations, sont des objets aussi importans qu'avan-

tageux; nous désirons donc que la paix faite autrefois, dans le tems de Morad quatrième, entre les Turcs & les Persans, soit renouvellée; & nous demandons, que Sa dite Majesté acquiesce gracieusement à ce présent Traité de paix, qui contient le plan, la stipulation, trois Articles, & un Supplément.

Perpetual Friendship.

Que la paix conclue dans le tems du Sultan Morad IV,* d'heureuse mémoire, entre les deux Empires de Perse & de Turquie, soit renouvellée; puisse-t-elle demeurer ferme, & perpétuelle dans toutes les Provinces, & puisse sa continuation n'être altérée ni troublée par aucun manquement!

Stipulation.—Après que toutes commotions sont endormies, que le sabre est replacé dans le fourreau, après que tout ce qui peut renverser la paix, & détruire l'amitié, est écarté; que la bénédiction de Dieu, le pacte d'amour & d'unanimité, soit durable entre les deux empires, & les familles des deux monarques, jusqu'au jour du jugement.

Persian Pilgrims.

ART. I. Que les pèlerins de Perse, qui passeront par Bagdad, ou par la Syrie, pour se rendre au temple sacré, seront conduits d'une station à l'autre en sûreté, & protégés par les magistrats & gouverneurs des places, qui se trouvent dans leur voyage.

Commissioners to be appointed to receive Mutual Tributes.

ART. II. Pour confirmer l'amitié & l'alliance entre les deux Cours, que tous les trois ans un Commissaire soit envoyé de la Porte en Perse, & de la Perse en Turquie, pour recevoir les tributs mutuels.

Freedom of Slaves. Slave Trading.

ART. III. Que les esclaves de chacune des deux nations soient mis en liberté, & qu'il ne soit pas permis de les acheter, ou vendre, mais qu'ils ayent le privilége de retourner dans leurs pays respectifs.

Frontier Disturbances. Religion.

Appendice, ou Supplément.—Que les Gouverneurs de toutes les villes frontières évitent toutes commotions, qui peuvent tendre à la dissolution de ce Traité; & que les Persans s'abstiennent de toutes expressions peu convénables relativement à la religion qu'ils ont embrassée, & à celle qu'ils ont désertée, pour suivre la secte des Sunnis.

Pilgrims to Mecca, Medina, or other Holy Cities.

Qu'ils ne mentionnent jamais les grands Califes, sans due

* See Note, page 153.

révérence & prières; que lorsqu'ils voyagent pour aller ou au temple de la Mecque, ou à Médine, ou dans quelques autres cités célèbres, ou qu'ils traversent la Natolie avec d'autres pèlerins du pays, ou de quelque autre nation Mahométane, ils ne leur montrent aucune marque d'aversion ou d'aliénation.

Customs Duties.

Qu'aussi dans les Villes Impériales on ne mette aucun impôt sur ceux qui ne font aucun profit par le commerce, mais que les officiers de la douane fassent payer des droits seulement aux commerçans, & ne demandent rien de plus, & qu'enfin dans ces occasions on tienne la même conduite dans les deux Empires.

Observance of Stipulations of Treaty.

Nous déclarons donc, en vertu de ce Traité, que la susdite paix & les Articles mentionnés en icelle, demeureront à jamais fermes entre les deux Empires & les familles de leurs souverains, bien entendu, tant qu'il n'y aura aucune action contraire de commise, de l'un ou de l'autre côté. Quiconque de sa part sera coupable d'une telle violation, offensera contre sa propre conscience, & quiconque observera ces Conventions, recevra du ciel une récompense.

Ecrit dans le mois sacré de Moharrem, l'année 1160 de notre Prophète, auquel soit louanges & saluts! [January, 1747.]

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*TREATY of Peace between Turkey and Persia.—Signed at Erzeroom, 28th July, 1823.**

TABLE OF CONTENTS.

Art.
Preamble.
Confirmation of Treaty of January, 1746, of other Agreements respecting Boundaries, Pilgrims, Merchants, &c.
Restoration by Persia to Turkey of Places taken Possession of during late War. Prisoners of War.
I. Non-interference in Internal Affairs of either States or on side of Bagdad and Khoordistan. Frontier Tribes. Tribute. Rent of Pasture Lands, &c.
II. Persian Pilgrims proceeding to Mecca and Medina. Pilgrims to Kerbelah and Nujuff. Reciprocity to be shown by Persia towards Ottoman Subjects. Persian Pilgrims; Customs Duties, &c. Free Sale of Persian Pipe-sticks at Constantinople.
III. Tribal Disputes on Frontiers: Hyderanloo and Sibbikee.
IV. Non-protection of Deserters and others.
V. Restitution of Sequestered and other Property.
VI. Disposal of Property of Deceased Subjects.
VII. Reception of Ministers. Deserters.
Final Article.—No Claims to be advanced on account of Plunder, Losses, or War Indemnities. Ratifications.

* Confirmed by Treaty of $\frac{19\text{th}}{31\text{st}}$ May, 1847, Art. IX, page 172.

(Translation.)

In the Name of the Most Merciful God.

Preamble.

ARISING from various circumstances, of late years the amicable relations between the Two powerful Mahomedan States became interrupted, and their friendship and good understanding were converted into strife and enmity, which terminated in open warfare. The interests of the religion of Islam required a reconciliation, the Two Governments were anxious to prevent the further effusion of blood,—and the renewal of the ties of amity was mutually desired and proposed.

With this view, by the authority of a Firman from His Majesty the King of Kings, the Hakan son of a Hakan, the Conqueror Feth Alli Shah, the Sovereign of Persia, and also invested with discretionary Powers from His Royal Highness, the Heir Apparent, Prince Abbas Mirza, the High in Dignity, Mirza Mahomed Alli Mustofee, has been honoured with the rank of Plenipotentiary; and in virtue of a Firman, His Majesty, the Protector of the Faith, the Guardian of the Holy Cities, Sultan of the Sea and Earth, the Sultan, son of a Sultan, the Conqueror Mahmood Han, Emperor of the Ottomans, has named for His Plenipotentiary, the Illustrious Mohammed Emin Raauf Pasha, Seraskier, Governor of Erzeroom, and *Wallee* (Lieutenant) of the Eastern Provinces of the Ottoman Empire, who, on the exchange of their Full Powers, have concluded their Conferences and Discussions, in the before-mentioned City, by assenting to the following Conditions of Peace.

Confirmation of Treaty of January, 1746, *of other Agreements respecting Boundaries, Pilgrims, Merchants, &c.*

Basis.—The Stipulations of the Treaty concluded in the year of the Hegira 1159 [January 1746]* respecting the ancient Boundaries of the Two Empires, and the former Agreements relating to Pilgrims, Merchants, the delivery of Refugees, the free egress of all Prisoners, and the residence of a Minister at the respective Courts, are considered valid, and are to be strictly observed. The slightest deviation from the engagements therein detailed shall not be permitted, and the amity between the Two powerful States shall be for ever preserved.

Restoration by Persia to Turkey of Places taken Possession of during late War.

Stipulations.—Henceforward the Sword of Enmity shall be sheathed, and every circumstance shall be avoided, which may produce coldness or disgust, and may be contrary to friendship and perfect union. The Countries within the boundaries of the

* Page 155.

Ottoman Empire, which, during the war, or previously to the commencement of hostilities, have been taken possession of by Persia, including Fortresses, Districts, Lands, Towns, and Villages, to be restored in their present state, and, at the expiration of sixty days from the signature of this Treaty, to be delivered over to the Ottoman Government.

Prisoners of War.

And in token of respect for this happy peace, the prisoners captured on both sides, without concealment or prevention, shall have free permission to depart. Provisions and other necessaries requisite for the journey shall be afforded them, and they shall be sent to the Frontiers of the two Countries.

Non-interference in internal Affairs of either State, or on side of Bagdad and Khoordistan.

ART. I. The Two High Powers do not admit each other's interference in the internal affairs of their respective States. From this period, on the side of Bagdad and Koordistan no interference is to take place, nor with any Districts of the Divisions of Koordistan within the Boundaries, is the Persian Government to intermeddle, or authorise any acts of molestation, or to assume any authority over the present or former Possessors of those Countries.

Frontier Tribes. Tribute. Rent of Pasture Lands, &c.

And on that frontier, should the Tribes of either side pass the boundaries for a summer or winter residence, the Agents of His Royal Highness the Heir Apparent, with the Pasha of Bagdad, shall arrange the tribute customary to be paid, the rent of the pasture lands, and other claims, in order that they may not cause any misunderstanding between the two Governments.

Persian Pilgrims proceeding to Mecca and Medina.

ART. II. Persian subjects proceeding to the Holy Cities of Mecca and Medina, as to other Mahomedan towns, such as Pilgrims, and persons travelling through the Ottoman Territories, are to be entirely exempted from all contributions; and other impositions at variance with lawful usage are not to be demanded from them.

Pilgrims to Kerbelah and Nujuff.

In like manner the Pilgrims to Kerbelah and Nujuff, as long as they have no merchandize, neither tribute nor tax of any kind is to be extracted from them; but in case they have in their possession articles of commerce, the just rate of Customs is to be levied on such goods, and nothing extra is to be demanded.

Pilgrims. Reciprocity to be shown by Persia towards Ottoman Subjects.

The Persian Government is likewise bound to pursue the same line of conduct towards the Merchants and Subjects of the Ottoman Empire. In conformity with former Engagements, from this period, on the part of the Vizirs the Emir-Elhadj, and other Commanders and Governors, the ancient Stipulations respecting the Persian Pilgrims and Merchants shall be considered as in full force and acted upon.

Persian Pilgrims. Customs Duties, &c.

The Pilgrims shall be conducted from Damascus to the Holy Cities, and back to Damascus, and on the part of the Emir-Elhadj every attention shall be shown towards them; whilst no treatment at variance with the existing engagements shall be permitted; on the contrary, every exertion shall be made to afford them aid and protection. In case any disputes should arise amongst the Persian Pilgrims, the Emir-Elhadj, in conjunction with the chief person among them, is to settle their differences. To the female attendants of His Persian Majesty, the wives of the Royal Princes, or of the Grandees of the Empire, who may be on pilgrimage to Mecca, or to Kerbelah and Nujuff, every respect and honour shall be paid according to their respective ranks. Persian Merchants and Subjects shall pay the same rate of Customs as those of the Ottoman Government. The duties are only to be exacted once, and they shall be at a computation of four piastres to a hundred on the value of the merchandize; *Teskérés* shall be given; and whilst the goods remain in the possession of the first proprietors, and are not disposed of to other Persons, no further duties are to be demanded.

Free Sale of Persian Pipe-sticks at Constantinople.

The Persian Merchants, who carry the *Choobooks*, or Pipe-sticks of Sheeraz to Constantinople, shall be allowed to traffick them without any restrictions, and to sell them to whomsoever they may think proper. To the Merchants, Subjects, and Dependants of the Two High Powers, visiting the two Countries, in consideration of the Mahomedan religion, every friendly treatment shall be extended, and they shall be preserved from all molestation and injury.

Tribal Disputes on Frontiers. Hyderanloos and Sibbikees.

ART. III. The Tribes of Hyderanloo and Sibbikee, which have been the cause of contention between the Two High Powers, and are now dwelling in the Territory of the Ottoman Empire, should they from thence transgress the boundary of Persia, and commit any ravages, the Turkish Frontier Authori-

ties will endeavour to prevent such proceedings, and punish the offenders. In case that these tribes continue to invade and molest the Persian Territory, and the Frontier Authorities do not put a stop to these aggressions, the Ottoman Government shall cease to protect them, and should these Tribes of their own will and choice return to Persia, their departure shall not be prohibited nor opposed. But after their arrival in Persia, should they again desert to Turkey, the Ottoman Government shall afford them no further protection, nor shall they be received. In the event of their return to Persia, should these tribes disturb the tranquillity of the Ottoman Territory, the Persian Frontier Authorities agree to use every effort to prevent these irregularities.

Non-protection of Deserters and others.

ART. IV. In conformity with ancient engagements, the deserters from either Country shall not be received; and in like manner, from this period, the wandering Tribes and others quitting Persia for Turkey, or Turkey for Persia, shall not receive protection from either party.

Restitution of Sequestered and other Property.

ART. V. The property of the Persian Merchants sequestrated at Constantinople, with the cognizance of the Law and according to the public registers, from the date of this Treaty to the period of sixty days, wherever the sequestration may have taken place, shall be restored to the Proprietors. Besides the goods under sequestration, whatever effects during the war may have been taken by force from the Persian Pilgrims and Subjects throughout the Ottoman Dominions, by the different Vizirs and Governors, on the representations of the Persian Government, Firmans shall be delivered up to the Agents of such persons, who, on giving lawful proofs of the authenticity of their claims, shall receive the required restitutions.

Disposal of Property of Deceased Subjects.

ART. VI. On the demise of any Persian Subjects in the Ottoman Dominions, should the deceased have no lawful heir and executor present, the Officers of the Treasury (*Beit ul Mal*) shall, with the cognizance of the Law, register the property, and shall enter it upon the Records of the Court of Judicature. For the period of one year the effects shall be lodged in a secure place, until the lawful heir or administrator of the estate may arrive, when, according to the Register of the Courts of Judicature, the property shall be delivered up. The customary fees and the hire of the place for depositing the effects are to be paid, and should they be burnt or destroyed within the above stated period, no claims are to be advanced for the recovery of the property. If during the said period the heir or the executor

of the deceased does not arrive, the Officers of the Treasury, with the knowledge of the Agent of the Persian Government, shall sell the property and keep the amount in deposit.

Reception of Ministers.

ART. VII. Agreeably to former Engagements, and for the purpose of adding fresh ties to the Alliance, a Minister shall be sent every three years to reside for that period at the respective Courts.

Deserters.

The subjects of the Two High Powers, who, during the War, may have deserted from either country, in consideration of this happy Peace, shall suffer no punishment for the offence committed.

No Claims to be advanced on account of Plunder, Losses, or War Indemnities.

Final Article.—The Capitulations detailed in the Basis of the Treaty, and the Stipulations and different Articles which have been the result of the Conferences, shall be approved of by both Parties. No claims shall be advanced on account of plunder and losses, or any indemnification required for the expenses of the War, and the principle adhered to by both Governments shall be to overlook all past occurrences.

Ratifications.

According to established custom, the Ratifications of this Treaty shall be exchanged; and, from the signature of this Authentic Instrument, to the space of sixty days, Ambassadors of secondary rank shall meet each other on the Frontiers of the two countries, and from thence proceed to the Courts of the respective States, for the purpose of delivering the Ratified Treaty. In this manner the Alliance has been renewed and confirmed, and the truest reconciliation has taken place from the date of this Treaty. No alterations shall be made in the above Stipulations and Agreements, nor any measures hereafter pursued, in repugnance to the rights of friendship.

The Plenipotentiary of the Ottoman Government, in virtue of his Full Powers, has signed and sealed this Treaty on the 19th day of Zilkaade, in the year 1238,* for which this Instrument in exact conformity thereto, has been delivered by the Plenipotentiary of His Persian Majesty, agreeably to his Full Powers.

(L.S.) MOHAMMED EMIN RAAUF.

(L.S.) MAHOMED ALLI.

* 28th July, 1823.

TREATY of Limits, between Turkey and Persia.—Signed at Erzeroom, $\frac{19th}{31st}$ May, 1847.*

[Ratifications exchanged at Constantinople, 21st March, 1848.]

TABLE OF CONTENTS.

Art.
I. Abandonment of all Pecuniary Claims on either side.
II. Abandonment by Persia of all Lands to the west of the Province of Zohab. Abandonment by Turkey of all Lands to the east of the Province of Zohab, including the Valley of Kerrind. Withdrawal of Persia to any Claim to the Town and Province of Suleimania. Recognition of Persian Right of Sovereignty over the Town and Port of Mohammerah, the Island of Khizr, and the lands on the left bank of the Schatt-ul-Arab. Right of Persian Ships to navigate the Schatt-ul-Arab.
III. Commissioners to be appointed to define Boundary between Turkey and Persia.
IV. Commissioners to settle questions of Losses sustained on either side since acceptance of proposals of Mediating Powers of 1845 or 1846.
V. Abode of Fugitive Persian Princes to be fixed at Brussa. Other Fugitives to be given up.
VI. Customs Dues payable by Persian Merchants.
VII. Right of Persian Pilgrims to visit Holy Places in Ottoman States. Privileges and Protection to be enjoyed by Persian Pilgrims and all Persian subjects. Right of Persia to appoint Consuls in Turkey, except at Mecca and Medina. Right of Turkey to appoint Consuls in Persia.
VIII. Suppression of Brigandage, &c., on Frontiers.
IX. Confirmation of former Treaties. Ratifications.

(Traduction.)

Abandonment of all Pecuniary Claims on either side.

ART. I. Les 2 Puissances Mussulmanes arrêtent que les réclamations pécuniaires qu'elles avaient élevées jusqu'à présent, l'une à charge de l'autre, soient totalement abandonnés; mais que nulle atteinte ne soit portée par cet arrangement aux dispositions (prises) pour le réglement des réclamations insérées dans l'Article IV.

Abandonment by Persia of all Lands to the West of the Province of Zohab.

ART. II. Le Gouvernement de Perse s'engage à abandonner au Gouvernement Ottoman tous les terrains plats, c'est-à-dire, les terrains de la partie occidentale de la province de Zohab.

Abandonment by Turkey of all Lands to the East of the Province of Zohab, including the Valley of Kerrind.

Et le Gouvernement Ottoman s'engage de son côté à abandonner au Gouvernement Persan la partie orientale, c'est-à-dire, tous les terrains montagneux de la province de Zohab, avec la vallée de Kerrind.

* Correspondence passed in 1847, 1851, and 1865, respecting the demarkation of the Turco-Persian Frontier which was laid before Parliament in the latter year (see "State Papers," Vol. 56, page 648).

Withdrawal of Persia to all Claim to the Town and Province of Suleimania.

Le Gouvernement Persan se désiste de toute espèce de prétention relative à la ville et à la province de Suleimanié, et s'engage formellement à ne jamais exercer nulle espèce d'immixtion ni d'empiètement par rapport au droit de souveraineté du Gouvernement Ottoman sur la dite province.

Recognition of Persian right of Sovereignty over the Town and Port of Mohammerah, the Island of Khizr, and Lands on the Left Bank of the Schatt-ul-Arab.

Le Gouvernement Ottoman s'engage formellement à ce que la ville et l'échelle de Mohammara, l'île de Khizr, le lieu d'ancrage, et aussi les terrains de la rive orientale, c'est-à-dire, de la rive gauche du Schatt-ul-Arab, qui sont en la possession des tribus reconnues comme relevant de la Perse, soient dans la possession du Gouvernement Persan en pleine souveraineté.

Right of Persian Ships to Navigate the Schatt-ul-Arab.

Outre cela, les navires Persans auront le droit de naviguer en pleine liberté sur le Schatt-ul-Arab, depuis l'endroit où ce fleuve se jette dans la mer jusqu'au point de contact des frontières des 2 parties.

Commissioners to be Appointed to define Boundary between Turkey and Persia.

ART. III. Les 2 Parties Contractantes ayant par le présent Traité abandonné leurs autres réclamations territoriales, s'engagent à nommer immédiatement des 2 côtés des Commissaires et des Ingénieurs, afin que ceux-ci déterminent les frontières entre les 2 Etats d'une manière conforme à l'Article précédent.

Commissioners to settle questions of Losses sustained on either side since acceptance of proposals of mediating Powers of 1845 *or* 1846.

ART. IV. Il est respectivement décidé que des Commissaires seront immédiatement nommés de part et d'autre, pour juger et régler d'une manière équitable les questions des dommages essuyés des 2 côtés depuis l'acceptation des propositions amicales tracées et communiquées par les 2 grandes Puissances médiatrices au mois de Djémaziy-ul-evvel, 1261 [1845 or 1846]: ainsi que celles des droits de pâturage depuis l'année où leur paiement a été arriéré.

Abode of Fugitive Persian Princes to be fixed at Brussa.

ART. V. Le Gouvernement Ottoman promet de fixer à

Brousse le domicile des Princes Persans fugitifs, et de ne pas permettre qu'ils s'absentent dudit lieu, ni qu'ils entretiennent des relations clandestines avec la Perse.

Other Fugitives to be given up.

Et les 2 Hautes Puissances s'engagent à ce que, conformément au précédent Traité d'Erzeroum,* les autres transfuges soient tous rendus.

Customs Dues payable by Persian Merchants.

ART. VI. Les négociants Persans paieront en nature ou en argent comptant les droits de douane pour leurs marchandises, selon la valeur actuelle et courante des dites marchandises, et de la manière indiquée dans l'Article relatif au commerce du Traité d'Erzeroum conclu en 1238 [28th July, 1823]. On ne demandera rien (pas une pièce de monnaie) en sus du montant fixé dans le dit Traité.

Right of Persian Pilgrims to visit Holy Places in Ottoman States.

ART. VII. Le Gouvernement Ottoman promet d'accorder les priviléges nécessaires pour que, en conformité des Traités précédents, les pélerins Persans puissent visiter, en toute sûreté et à l'abri de toute espèce de vexation, les lieux saints qui se trouvent dans les Etats Ottomans.

Privileges and Protection to be enjoyed by Persian Pilgrims and all Persian Subjects.

Et, de plus, désirant raffermir et consolider les liens de l'amitié et de la concorde qui doivent subsister entre les 2 Puissances Musulmanes et entre leurs sujets respectifs, il s'engage à prendre les mesures les plus convenables à ce que, de même que les pélerins Persans jouissent de tous les priviléges dans les Etats Ottomans, les autres sujets Persans aussi en participent, et que, tant pour leur commerce que sous d'autres rapports, ils soient mis à l'abri de toute sorte d'injustice, de molestation, ou d'incivilité.

Right of Persia to Appoint Consuls in Turkey, except at Mecca and Medina.

Outre cela, le Gouvernement Ottoman promet de reconnaître les Consuls qui seront nommés par le Gouvernement Persan dans tels endroits des Etats Ottomans où les intérêts commerciaux et la protection des sujets et négociants Persans l'exigeraient, à l'exception de la Mecque la vénérée, et de Medine la resplendissante ; et d'observer à l'égard desdits Consuls tous les priviléges

* 28th July, 1823, page 163.

dûs à leur caractère officiel et qui sont observés envers les Consuls des autres Puissances amies.

Right of Turkey to Appoint Consuls in Persia.

De son côté, le Gouvernement Persan s'engage à user en toute chose de procédés réciproques, soit envers les Consuls qui seront nommés par le Gouvernement Ottoman dans tels endroits de la Perse où ils seront jugés nécessaires, soit à l'égard des sujets et négociants Ottomans qui fréquenteraient la Perse.

Suppression of Brigandage, &c., on Frontiers.

ART. VIII. Les 2 Hautes Puissances Musulmanes s'engagent à adopter et à mettre à exécution les mesures nécessaires pour empêcher et réprimer les vols et les brigandages des tribus et des autres peuplades établies sur les frontières; auquel effet, elles placeront des troupes dans les lieux convenables. Et elles s'engagent à s'acquitter de leur devoir quant à toute espèce d'actes d'agression, tels que pillage, déprédation, ou meurtre, qui auraient lieu sur leurs territoires respectifs.

Les 2 Hautes Puissances laisseront une fois pour toutes à la libre volonté des tribus qui, leur Suzerain n'étant pas connu, sont contestées, la faculté de choisir et de désigner les endroits où dorénavant elles demeureront toujours; et il est arrêté que les tribus dont la dépendance est connue, seront forcées de rentrer dans le territoire de l'Etat dont elles relèvent.

Confirmation of former Treaties.

ART. IX. Tous les points et les Articles des Traités précédents, et particulièrement ceux du Traité conclu à Erzeroum en 1238,* qui ne sont pas spécialement modifiés ou annulés par le présent Traité, sont confirmés dans toute leur force et dans toutes leurs dispositions, comme s'ils eussent été insérés mot-à-mot dans cette pièce.

Ratifications.

Il est convenu entre les 2 Hautes Puissances qu'après que ce Traité aura été échangé, elles l'accepteront et le signeront, et que les ratifications en seront échangées dans l'espace de 2 mois, ou plus tôt.

16 Djemazil Akhir, 1263 ($\frac{19th}{31st}$ May, 1847).

(L.S.) ENVARRE EFFENDI.
(L.S.) MIRZA TAKKEE KHAN.

* 23rd July, 1823, page 163.

TREATY between the Sublime Porte and the Shah of Persia, for the Establishment of a Line of Telegraph.—Signed at Constantinople, 28th November, 1863.

TABLE OF CONTENTS.

Art.
I. Branch Lines to be established.
II. Lines to meet at Hankin.
III. Telegraphic Despatches between Persia, &c., and Turkey, &c., and *vice versâ*.
IV. Employment of Morse's System.
V. Telegraphic Despatches.
VI. Charges.
VII. Charges for Telegraphic Despatches passing by Turkish, Asiatic, and by Persian Lines.
VIII. } Telegraphic Despatches sent by Hankin and by Bagdad and Bussorah.
IX. }
X. Telegraph Employés.
XI. Commencement and Duration of Convention.
XII. Ratification.

(Traduction.)

Branch Lines to be established.

ART. I. Le Gouvernement Persan promet d'étendre une de ses lignes télégraphiques jusqu'à un endroit situé sur les frontières Ottomanes, et de son côté le Gouvernement Ottoman s'engage d'établir un embranchement d'un endroit quelconque de sa ligne télégraphique entre Scutari et Bagdad jusqu'à l'endroit où la ligne télégraphique Persane serait porté.

Lines to meet at Hankin.

ART. II. Il fut convenu entre les deux Parties Contractantes que l'endroit nommé Hankin sera fixé comme point de rencontre des deux lignes; cependant, si plus tard il y a nécessité de faciliter et d'élargir les communications télégraphiques, elles pourront être réunies également sur d'autres points des frontières.

Telegraphic Despatches between Persia, &c., and Turkey, &c., and vice versâ.

ART. III. Le Gouvernement Ottoman promet d'admettre et de faire passer sans difficulté les dépêches télégraphiques transmises du Royaume Persan ou bien d'un Etat qui est en communication télégraphique avec la Perse, en destination pour les Etats de Sa Majesté le Sultan, ou bien pour un Etat étranger qui est en communication télégraphique avec le Gouvernement Ottoman; et il est de même convenu que le Gouvernement Persan admettra et fera passer sans difficulté les dépêches télégraphiques transmises de la Turquie ou bien d'un Etat qui est en communication télégraphique avec le Gouvernement Ottoman, en destination pour la Perse ou pour un Etat étranger qui

est en communication télégraphique avec le Gouvernement Persan.

Les dépêches télégraphiques de la Perse dans les Etats Ottomans, et les dépêches télégraphiques des Etats Ottomans en Perse, participeront aux mêmes avantages et obligations que les dépêches intérieures respectives ou bien celles d'un autre Etat étranger.

Employment of Morse's System.

ART. IV. Les deux Parties Contractantes s'engagent d'employer l'appareil Morse, employé actuellement en Europe, pour la transmission des dépêches télégraphiques qu'ils auront à échanger; et de même en ajoutant la Convention de Bruxelles* à ce Traité, elles établissent qu'elles se conformeront, en toutes choses, aux clauses de la susdite Convention pour ce qui regarde la transmission des dépêches télégraphiques.

Telegraphic Despatches.

ART. V. Les dépêches télégraphiques, qui seront échangées entre les deux Parties Contractantes, sont divisées en deux: 1, les dépêches Persanes et Ottomanes qui partent d'un des bureaux télégraphiques de l'un des susdits-Gouvernements pour les Etats de autre; et 2, les dépêches des Gouvernements étrangers qui passent par les Etats de l'une des Parties Contractantes en destination pour l'étranger.

Charges.

ART. VI. La taxe à percevoir pour les dépêches de la première catégorie est fixée à 30 paras par *fersah*, ou bien à 20 paras par heure, en commençant de Hankin jusqu'à l'endroit de leur destination. La taxe ainsi calculée ne concerne que les dépêches qui contiennent 20 mots ou moins que cela, tant dans l'Empire Ottoman qu'en Perse; quant à celles qui contiennent plus de 20 mots, elles seront grêvées de 10 piastres par chaque 10 mots ou même d'une fraction de 10 mots qu'elles contiennent.

Charges for Telegraphic Despatches passing by Turkish, Asiatic, and by Persian Lines.

ART. VII. Les dépêches télégraphiques de la seconde catégorie seront taxées d'après la Convention de Bruxelles* annexée au présent Traité, seulement lorsque celles-ci passent par les domaines Asiatiques du Sultan et par les lignes Persanes, elles y seront taxées d'après le mode ci-dessus mentionné; de sorte que la taxe des dépêches qui appartiennent à cette catégorie sera perçue dans le bureau établi à la frontière Persane en *sahib*

* This Convention was concluded between Prussia, on her own behalf and in the name of Austria, Bavaria, Saxony, Hanover, Wurtemburg, Netherlands, Baden, and Mecklenburg-Schwerin.—Belgium and France at Brussels on the 30th June, 1858. See "State Papers," Vol. 57, page 1095.

kerans et en piastres, tandis que la taxe de ces dépêches dans les parties d'Europe jusqu'à l'endroit de leur destination sera perçue en francs, et ce mode de perception de taxes sera observé dans la transmission des dépêches télégraphiques des Etats Ottomans aux Indes Orientales.

Telegraphic Despatches sent by Hankin and by Bagdad and Bussorah.

ART. VIII. Les dépêches télégraphiques partant de l'Europe par les lignes télégraphiques Ottomanes, en destination pour les pays Asiatiques situés au-delà des domaines Persans, et celles transmises de ces pays au continent Européen, sont divisées en deux parties égales, dont l'une passera par les lignes de Hankin et de la Perse, et l'autre par Bagdad et Bussorah.

ART. IX. La correspondance télégraphique entre les Etats Ottomans et ceux de la Perse sera fait en langue Turque, Persane, Française, et Anglaise.

Telegraph Employés.

ART. X. Les employés du télégraphe, aux service des deux Parties Contractantes, échangeront leurs comptes à la fin de chaque mois, et chaque semestre ils régleront définitivement leurs comptes d'après l'évaluation monétaire suivante :

	Piastres.	Paras.
Sahib Keran	5	0
Toman	50	0
Franc	4	14
Abas	0	1

Commencement and Duration of Convention.

ART. XI. La présente Convention sera mise en exécution à l'expiration de 4 mois, et plutôt si cela est possible, et elle sera en vigueur pendant 10 ans depuis le jour de l'échange des ratifications.

Ratifications.

ART. XII. Cette Convention sera ratifiée par les deux Gouvernements et les ratifications seront échangées à Constantinople dans l'espace de 3 mois depuis ce jour.

Constantinople, 17 Djemaziul-ahir, 1280 (le 28 Novembre, 1863).

TEMPORARY BOUNDARY AGREEMENT between Turkey and Persia, 3rd August, 1869.*

TABLE OF CONTENTS.

Art.
Maintenance of *Status Quo.*
I. Security of Frontiers.
II. Land Disputes.
III. Temporary Authority of Party in Possession.
IV. No Buildings to be erected on Disputed Lands. No existing Buildings or Marks to be considered Proofs of Possession.
V. Repair of Houses at Kazlee Gioul.
VI. Disputes on this Point to be referred to Central Government.
VII. Temporary Agreement to hold good pending Settlement of Boundary Line.

Maintenance of Status Quo.

In order to confirm the *status quo* stipulated between the two Governments respecting their disputed grounds, this temporary document has been exchanged between the Sublime Porte and the Persian Legation:—

Pour consolider et donner plus de force au règlement de *statu quo* adopté par les Gouvernements Turco-Persan au sujet des lieux en litige des frontières, la présente convention a été provisoirement échangé entre l'Ambassadeur de Perse et la Sublime Porte.

Security of Frontiers.

I. The two parties will use every exertion towards increasing the security of the frontiers lying between their respective States.

I. Pour sécurité et maintien de bon ordre dans les frontières qui séparent les deux états on veillera scrupuleusement des deux côtés de manière à prévenir tout état de choses défavorables à la sécurité et confiance respective.

Land Disputes.

II. The *status quo* respecting disputed lands, such as was defined by the Commissioners of the four Powers, is to continue in force until the boundary line is settled. The two

II. Le règlement de *statu quo* qui a été adopté de part et d'ordre lors de l'enquête des Commissaires des quatre Gouvernements au sujet des lieux litigieux des frontières

* In September, 1869, and February, 1870, a copy of the "Identic Map" agreed upon between Great Britain and Russia in March, 1865 (see page 218), was officially communicated to the Turkish and Persian Governments respectively, but no boundary was marked upon it.

Governments and their frontier authorities shall exert themselves to preserve this stipulation, and shall refrain from any action that may be opposed thereto.

doit être maintien tel quel jusqu'à une délimitation définitive, et les autorités limitrophes respectives en observant scrupuleusement le maintien de ce *statu quo* se garderent de toute démarche et conduite contraire pouvait porter attente au dit règlement.

Land Disputes. Temporary Authority of Party in Possession.

III. Every place which was considered disputed land when the *status quo* was accepted by the parties shall remain under the authority of the State which governed it at that time until the boundary is settled. But this supervision will not confer the right of ultimate possession.

III. A partir de l'époque au le *statu quo* a été adopté par les deux Gouvernements les lieux litigieuse en question qui se sont trouvés placés sous l'administration de chacune des deux parties seront encore pareillement administrés par elles jusqu'à la délimitation définitive des frontières mais il est bien entendu que cette administration ne sera point prevaler comme le droit et les dits lieux litigieuse ne seront aucunement par cela seul considérés des propriétés acquises.

No Buildings to be Erected on Disputed Lands.

IV. On these disputed lands no buildings of any description shall henceforth be erected by either party,

IV. Aucune construction à l'avenir ne sera élevé sans aucune demeuration que ce soit dans les lieux en litige qui se trouvent à l'administration de l'une et l'autre partie,

No Existing Buildings or Marks to be considered Proofs of Possession.

and any buildings or marks which may have hitherto been erected on such lands shall not, when the boundary line is fixed, be considered as proofs of possession by the party unentitled thereto.

et toutes elles qui ont en lieu jusqu'à ce jour ainsi que toutes les manques et idées de limite ne seront à le délimitation définitive aucunement considérées comme preuve de droit et propriété acquis.

Repair of Houses at Kazlee Gioul (Cazlighure).

V. The repairing of the houses which were demolished at Kazlee Gioul does not form part of the stipulation pre-

V. Exceptionalement à l'article précédent toutes les maisons ruinées à Cazlighure seront reconstruites par leurs

viously explained; and it is agreed upon by the two States that the occupants of these houses may repair them; but their doing so shall not be considered, when the frontier line is settled, as having conferred upon them the right of proprietorship.

proprietaires; mais ces constructions comme il est dit plus haut, ne seront point considérées comme preuves de droit acquis à la désignation des frontières.

Disputes on this Point to be Referred to Central Government.

VI. Should any dispute arise between the frontier authorities on this subject, they must in the first instance discuss the matter between themselves in a manner suitable to the dignity and rights of the two States, and to the friendship subsisting between them. But if they should not be able to agree, they shall then, without having recourse to any action, refer the case to their respective central Governments and await their instructions.

VI. Si des contestations venaient à s'élever entre les autorités limitrophes respectives relativement aux lieux litigieuse en question, on s'adresser en premier lieu selon toutes ces marques de considération de cordialité et de bonne entente pour aplanir la difficulté entre eux, mais en cas de misintelligence on s'empressera de part et d'autre de rapporter l'affaire sans y procéder à leur Gouvernement respectif et attendra leurs instructions y relatives.

Temporary Agreement to hold Good pending Settlement of Boundary Line.

VII. This temporary agreement shall hold good until the boundary line is settled.* With regard to the disputed lands and the question under discussion between the two Governments, no verbal or written communication or protest which may have been made can alter the present stipulations.

Sealed by ALI PASHA.

„ the MUSHEER-ED-DOWLAH, *Persian Envoy.*

VII. Cette convention provisoire sera observée scrupuleusement jusqu'à la délimitation définitive des frontières sans annuller néanmoins toutes les réclamations et protestations échanges de part et d'autre au sujet des lieux litigieuse question, et des constructions y élevées qui toutes gardent leur effet et vigueur.

Fait le 3 Aôut, 1869.

AALI.

HOUSSEIN.

* The actual Boundary Line has not yet been settled. (April, 1891.)

*CONVENTION between Persia and Turkey, relative to Consular Jurisdiction, Civil and Commercial Suits, Trade Guilds, Protection, Nationality, &c.—20th December, 1875.**

TABLE OF CONTENTS.

Preamble:—Confirmation of former Treaties.

Art.
I. Jurisdiction. Trial and Punishment for Personal Injuries, Crimes, and Misdemeanours.
Diplomatic and Consular Protection of Subjects of their Country. Trials and Punishments to be Open and Public. Trials of Suits and Disputes between Persian and Ottoman Subjects, relating to Commerce, &c. Execution of Sentences.
II. Entrance of Persians to Trade Guilds, &c.
III. Privileges of Persian Consular Agents and their Interpreters.
IV. Protection of Persians by their Agents or Vice-Agents. Estates of Deceased Persian Subjects.
V. Passports, Travelling Permits, and Quarantine.
VI. Exemption of Persians from Military Service, &c., in Turkey.
VII. Persian Consular Jurisdiction. Suits and Disputes between Persians, Civil and Criminal. Detention of Persian Delinquents by Ottoman Police. Information to be given to Persian Diplomatic or Consular Agents.
VIII. Non-interference with Dues payable by Persian Subjects to Persian Agents.
IX. Naturalisation of Persians as Ottoman Subjects.
X. Reciprocal Treatment of Ottoman Subjects in Persia.
XI. Possession of Real Property by Persians.
XII. Suits and Disputes between Persians and other Foreign Subjects.
XIII. Bankruptcies.
XIV. Most-Favoured-Nation Treatment to be enjoyed by Ottoman Subjects resident in Persia and by Persians in Turkey. Mutual Execution of Articles of this Treaty.
Trial and Punishment for Personal Injuries, Crimes, and Misdemeanours.
Settlement of Suits and Disputes. Detention of Persians by Ottoman Police.

(Translation.)

CONVENTION arranged and concluded on the 21st of the month of Zī-'l-Qa'da (A.H.) 1292 (20th December, 1875), between the exalted Persian Legation and the Ottoman Ministry of Foreign Affairs, with the condition of the continuance and observation of the execution of the stipulations of the Treaties concluded and existing between the two exalted Governments, Persian and Ottoman, as heretofore; and in like manner, with the condition of the continued observance of the stipulations of the Agreements that have been ratified and put in force.

Jurisdiction. Trial and Punishment for Personal Injuries, Crimes, and Misdemeanours.

ART. I.† The subjects of the exalted Persian Government who are in the Ottoman dominions, in every matter relating to

* From "State Papers," Vol. 67, page 542.
† See Turkish Vizirial Letter of January 4, 1876. Page 184.

personal injuries, crimes, and misdemeanours, shall be individually subject to the Regulations and Laws of the Ottoman Empire, and directly to the police and tribunals of the said Empire.

Jurisdiction. Diplomatic and Consular Protection of Subjects of their Country. Trials and Punishments to be Open and Public.

But, since this clause must not in any manner invalidate the rights of protection of Persian officials with respect to their own subjects in the way set forth in Article IV, for this reason the investigations and punishments of acts in the nature of misdeeds that take place openly and publicly shall, as heretofore, be carried out directly by means of the police and tribunals of the Ottoman Empire; and in other than these kinds of public and witnessed offences, in order that the true circumstances of any one of the Persian subjects taken into custody and detained on an accusation of an act relating to personal injuries, crimes, and misdemeanours, may become known in all the preliminary investigations that take place in respect of him, whether in the abode of felicity (Constantinople), or whether in some exterior (provincial) place, the knowledge and cognizance of the Persian Agents or Vice-Agents, and their presence, will be permissible, until (or, in order that) the culpability or innocence of the (accused) person shall become apparent. And in all cases, in order to the sentencing of individuals whose crime, offence, or misdemeanour has been proved, the judicial sentence issued shall be communicated to the Persian officials in a certified copy thereof.

Jurisdiction. Trials of Suits and Disputes between Persian and Ottoman Subjects relating to Commerce, &c.

Suits and contestations relating to commerce and ordinary rights, as between Persian and Ottoman subjects, that may chance to arise, shall be tried and decided in the Ottoman Tribunals; and when the time comes on for these kinds of trials, it shall be permissible for an interpreter to be present on the part of the Persian Agents.

Jurisdiction. Execution of Sentences.

In respect of the execution of the tenours of the sentences relating to commerce or rights, by which Persian subjects may be condemned, recourse will be had to the intervention of the exalted (Persian) Legation and Agents. And if, as is conceivable, in the space of time necessary for the execution of the said sentences, non-performance or inability of performance shall become patent and evident on the part of the exalted Legation or Agents, they shall be carried out directly by the Ottoman officials.

Entrance of Persians into Trade Guilds, &c.

ART. II. If the Persian subjects resident in the Ottoman dominions may wish, in like manner as Ottoman subjects, to enter into the character of any trade-guild, and to take up a craft and industry, they shall, just as they participate in all the regulations and laws executable in respect of the general community of the trade-guilds, therefore, so long as they shall carry on a trade, art, and industry, they shall be subject to the said regulations, customs, and laws, and by this means they will be unavoidably (liable) to the dues charged upon Ottoman tradesmen. In matters and dealings related to tradesmanship they will be individually subject to the Ottoman tribunals and officials.

Privileges of Persian Consular Agents and their Interpreters.

ART. III. The Agents and Vice-Agents of the exalted Persian Empire who are in the Ottoman dominions, and whose official capacity is recognized in conformity with the diplomas and commands of the Government, as also their interpreters, shall enjoy the privileges, favours, and exemptions enjoyed by the Consuls and Vice-Consuls of the friendly Powers, and their interpreters.

Protection of Persians by their Agents or Vice-Agents.

ART. IV. Considering that the Agents and Vice-Agents are commissioned to procure the means of safety, advantage, and protection of such subjects of the exalted Persian Government as travel to the Ottoman dominions by land or by sea, or who reside therein, they will have to make verbal and written communications on these subjects to the Local Governments. And furthermore, whenever a complaint against the Ottoman officials and authorities shall be made on the part of Persian subjects, the Agents and Vice-Agents will proceed to make the necessary verbal or written communications. And the individuals, subjects of Persia, who will require to be sent to the Persian dominions, will be forwarded thither by the Agents and Vice-Agents. And, in case of need, they will have the right, when so sending them, to have recourse to the Agency and assistance of the Local Governments; for the Local Governments, in conformity with their representations, shall put in execution the needful assistance.

Estates of Deceased Persian Subjects.

In respect to the estates of deceased Persian subjects who may die in the Ottoman dominions, since it pertains to the Agents and Vice-Agents to take possession of such deceased estates and to effect the registration, &c., thereof, in case of any claim being set up against an estate by an Ottoman subject, it

will be brought before the tribunals and councils charged with such business, in conformity with the regulations.

Passports, Travelling Permits, and Quarantine.

ART. V. Persian subjects who have no official capacity, but who travel and go about in the Ottoman dominions, and thus become subject to the regulations concerning passports, travelling permits, (and) quarantine, which are submitted to by other foreign subjects, do not thereby cause any prejudice to their quality of being foreign subjects.

Exemption of Persians from Military Service, &c., in Turkey.

ART. VI. Since Persian subjects who reside in the Ottoman dominions possess the quality of foreign subjects, they are exempt, like other foreign subjects, from services and charges exclusively special to Ottoman subjects, such as military service and dues for exemption therefrom.

Persian Consular Jurisdiction: Suits and Disputes between Persians, Civil and Criminal.

ART. VII.* All kinds of suits and contestations arising between subjects of the exalted Persian Government shall be settled by the action of the Agents and Vice-Agents: that is to say, every kind of chance suit or contestation between Persian subjects, whether relating to rights, or whether relating to offences, crimes, or personal injuries, shall refer to the Persian Agencies (Agency-houses—Consulates), there to be decided, judged, and settled† (or the chastisement); punishment, and other actions thereto pertaining, shall rest with them.

Detention of Persian Delinquents by Ottoman Police. Information to be given to Persian Diplomatic or Consular Agents.

In any case where delinquents, at the time of the occurrence of acts requiring punishment, are taken and detained by the (Ottoman) police of the locality, upon communications being made on the subject of their nationality, information shall be given, in Constantinople to the Persian Legation, and elsewhere to the Agencies, and on proof of the truth of their being subjects of Persia, they shall be delivered to the Legation or Agencies. And if, in such cases, the Agents or Vice-Agents apply to the Local Governments, the requisite assistance shall be afforded to them.

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* See Turkish Vizirial Letter of January 4, 1876. Page 184.

† ترتيب (tertib) is here, probably, a clerical error for تربيت (terbiyet), *chastisement.*

Non-interference with Dues payable by Persian Subjects to Persian Agents.

ART. VIII. In like manner as no interference shall take place on the part of Ottoman officials as to the relation of the affairs of subjects of the exalted Government of Persia to their own Agents, so also, in the matter of dues payable by such subjects to their own Agents, no kind of interference shall occur on the part of the Local Government.

Naturalization of Persians as Ottoman Subjects.

ART. IX. If any subject of the exalted Persian Government should desire to enter into Ottoman subjection, then, in conformity with the special rule observed with regard to other foreign subjects, after compliance with the special Regulations, and execution of the tenour of the explanations of the said Regulations, dated the 24th Jemāzi-'l-Ūla, (A.H.) 1285 (11th September, 1868),* communicated to all the Embassies: *i.e.*, the execution of the system and method observed in respect of foreign subjects desirous to abandon their original nationality and to enter into Ottoman subjection; which must be fully and carefully observed in respect of Persian subjects also, who may desire to become Ottoman subjects. And without the observance of this system, no one of the subjects of the exalted Persian Government shall be received as an Ottoman subject to the infringement of the rules and regulations.

Reciprocal Treatment of Ottoman Subjects in Persia.

ART. X. As it is but natural that the rule of reciprocity be observed in respect of Ottoman subjects resident in the Persian dominions, therefore, whichever of the clauses of favour laid down in the present Convention as executory in respect of subjects of the exalted Persian Government may be refused or not executed towards Ottoman subjects residing in the guarded realms of Persia, that same favour will cease to be carried out in respect of subjects of the exalted State of Persia who may be resident in the Ottoman dominions; and in this respect also the principle of reciprocity will be acted upon by both parties.

Possession of Real Property by Persians.

ART. XI. If it be desired on the part of the exalted Persian Government that Persian subjects may enjoy the rights of possessing real estate, a separate Convention shall be drawn up for the purpose; and until the time when such Convention may be arranged, the question of possessing real estate will remain on the same footing as heretofore.

* 26th March, 1869. See "State Papers," Vol. 67, page 1251, and Vol. 70, page 720.

Suits and Disputes between Persians and other Foreign Subjects.

ART. XII. With respect to the procedure in cases of suits and contentions happening between subjects of the exalted Government of Persia and other foreign subjects, until such time as an understanding shall have been arrived at between the exalted Persian Legation and the other Embassies, the system hitherto acted upon shall remain in force.

Bankruptcies.

ART. XIII. It is a settled question that a case of bankruptcy of subjects of the exalted Persian Government shall be left exclusively to the Legation and Agencies. But, in this case, should one of the creditors be an Ottoman subject, whenever they may wish, he shall be appointed to a second syndicate (sindīqī).

Most Favoured Nation Treatment to be enjoyed by Ottoman Subjects resident in Persia and by Persians in Turkey.

ART. XIV. In matters outside of the tenour of the 13 preceding Articles, the subjects of the exalted Government of Persia resident in the Ottoman dominions, and Ottoman subjects who may be in the guarded realms of Persia, shall enjoy the same privileges and favours as are enjoyed by the subjects of the most favoured foreign nation.

Mutual Execution of Articles of this Treaty.

Every one of the clauses and matters mentioned in the said Articles which may not be put in execution by the exalted Persian Government will also not be carried out on the part of the Ottoman Government.

21st Zī-'l-Qa'da, 1292 (20th December, 1875).

(No signatures indicated.)

Turkish Vizirial Letter explanatory of the Convention with Persia of December 20, 1875.—Constantinople, 4th January, 1876.

(Translation.)

EXPLANATIONS of the foregoing Convention, made under date of the 8th Zī-'l-Hijja the Sacred, (A.H.) 1292 (4th January, 1876), on the part of the Sublime Porte, in a Vizirial Letter notified to all the Judges of the Ottoman Dominions, a copy thereof being officially communicated to the exalted Persian Legation residing in Constantinople.

Although 12 out of the 14 Articles contained in the said

Collation (muqābela-nāma*) are of a kind clear and manifest, still, for the purpose that, in the interpretation of Articles I and VII, no manner of discrepancy shall remain, it is undertaken, as follows, to give certain explanations to this effect:

Trial and Punishment for Personal Injuries, Crimes, and Misdemeanours.

Although, in accordance with Article I, "the subjects of the exalted Persian Government who are in the Ottoman Dominions, in every matter relating to personal injuries, crimes, and misdemeanours, are individually, subject to the Regulations and Laws of the Ottoman Empire, and directly to the police and tribunals of the said Empire;" and "in order to the sentencing of individuals whose crime, offence, or misdemeanour has been proved, the judicial sentence issued shall be communicated to the Persian officials in a certified copy thereof;" and "in the preliminary investigations that take place in respect of 'them' until the culpability or innocence of 'them' shall become apparent, 'the presence' in person, or by a representative, of the Persian Agents and Vice-Agents will 'necessarily' be permissible:" still, as the effect of this Article covers such kinds of acts as may have occurred between subjects of the exalted Government (of Turkey) and subjects of the exalted Persian Government, it will become needful in this case, that, for one individual Persian wronged or bodily injured, an Ottoman adverse party should exist; and thence a right and capacity ensues for the Persian officials to inquire into the punitory result decreed against an Ottoman subject. Any information of this kind that may be asked for by them must be given.

Settlement of Suits and Disputes. Detention of Persians by Ottoman Police.

Again, since, according to the details set forth in Article VII, "every kind of suit or contestation," "whether relating to rights," "offences, crimes, or personal injuries" that may arise between two Persian subjects must be settled by means of the Persian Agents and Vice-Agents, the decision and determination of all such suits and their other mutual dealings must be relegated to the Agents and Vice-Agents; for this same reason it will be necessary in the case where the delinquents are taken and detained by the local police at the very time of their criminal act, whenever they may be proved to be really Persian subjects, they shall be immediately delivered to the Agents and Vice-Agents. And this act of detention shall only then be put in practice when the said acts take place openly. Otherwise, whenever they occur in the place of abode of one individual

* مقابله نامه, *muqābela-nāma*, appears to be a clerical error for مقاوله نامه, *muqāvela-nāma*, a Convention.

Persian, such conduct and action will naturally be observed, as, according to what is set forth in Article XIV, shall be consistent with the system which, in like cases, is practised in respect of other foreign subjects.

(No signatures indicated.)

[For Protocol between Great Britain and Russia respecting the Cession by Turkey to Persia of Territory of Khotour, 27th July, 1880, see page 219.]

TREATY of Friendship and Commerce between The United States and Persia.—Signed at Constantinople, 13th December, 1856.†

[Ratifications exchanged at Constantinople, 13th June, 1857.]

TABLE OF CONTENTS.

Art.
I. Good Understanding between Persia and the United States.
II. Reception and Treatment of Ambassadors or Diplomatic Agents.
III. Protection of Travellers, Merchants, and other Residents. Right to Import or Export all kind of Produce and Manufactures. Internal Commerce.
IV. Payment of Duties on Merchandize imported or exported. Taxes.
V. Consular Jurisdiction in Persia. Suits and Disputes between Persian Subjects and United States Citizens. Suits and Disputes between United States Citizens. Suits and Disputes between United States Citizens and Subjects of other Foreign Powers. Trials in the United States of Disputes between Persian Subjects or between them and United States Citizens or Foreigners. Trials for Criminal Offences.
VI. Effects of Deceased Subjects or Citizens.
VII. Protection of Subjects and Citizens and their Commerce. Right to appoint Diplomatic Agents and Consuls in certain places. Consular Privileges, &c. Persian Subjects not to be protected by the Diplomatic Agents or Consuls. Trading Consuls. Employment of Domestics by United States Diplomatic and Consular Agents to be limited.
VIII. Duration of Treaty.

IN the name of God, the Clement and the Merciful,

The President of the United States of North America, and His Majesty, as exalted as the planet Saturn; the Sovereign to whom the sun serves as a standard; whose splendour and magnificence are equal to that of the skies; the Sublime Sovereign, the monarch whose armies are as numerous as the stars: whose greatness calls to mind that of Jeinshid; whose magnificence equals that of Darius; the Heir of the Crown and Throne of the Kayanians, the Sublime Emperor of all Persia, being both equally and sincerely desirous of establishing re-

* Signed also in the Persian language.
† From "State Papers," Vol. 47, p. 855.

lations of friendship between the two Governments, which they wish to strengthen by a Treaty of friendship and commerce, reciprocally advantageous and useful to the citizens and subjects of the two High Contracting Parties, have for this purpose named for their Plenipotentiaries:

The President of the United States of North America, Carroll Spence, Minister Resident of the United States near the Sublime Porte; and his Majesty the Emperor of all Persia, his Excellency Emin ul Molk Farrukh Khan, Ambassador of His Imperial Majesty the Shah, decorated with the portrait of the Shah, with the great Cordon Blue, and Bearer of the Girdle of Diamonds, &c.

And the said Plenipotentiaries, having exchanged their full powers, which were found to be in proper and due form, have agreed upon the following Articles:

Good Understanding between Persia and the United States.

ART. I. There shall be hereafter a sincere and constant good understanding between the Government and citizens of the United States of North America and the Persian Empire, and all Persian subjects.

Reception and Treatment of Ambassadors or Diplomatic Agents.

ART. II. The Ambassadors or Diplomatic Agents whom it may please either of the two High Contracting Parties to send and maintain near the other, shall be received and treated, they and all those composing their missions, as the Ambassadors and Diplomatic Agents of the most favoured nations are received and treated in the two respective countries; and they shall enjoy there in all respects the same prerogatives and immunities.

Protection of Travellers, Merchants, and other Residents.

ART. III. The citizens and subjects of the two High Contracting Parties, travellers, merchants, manufacturers, and others, who may reside in the territory of either country, shall be respected and efficiently protected by the authorities of the country and their agents, and treated in all respects as the subjects and citizens of the most favoured nation are treated.

Right to Import, Export, and Trade in all kinds of Produce and Manufactures.

They may reciprocally bring by land or by sea into either country, and export from it, all kinds of merchandize and products, and sell, exchange, or buy, and transport them to all places in the territories of either of the High Contracting Parties. It being, however, understood that the merchants of either nation who shall engage in the internal commerce of

either country shall be governed, in respect to such commerce, by the laws of the country in which such commerce is carried on;

Internal Commerce.

And in case either of the High Contracting Powers shall hereafter grant other privileges concerning such internal commerce to the citizens or subjects of other Governments, the same shall be equally granted to the merchants of either nation engaged in such internal commerce within the territories of the other.

Payment of Duties on Merchandize Imported or Exported. Taxes.

ART. IV. The merchandize imported or exported by the respective citizens or subjects of the two High Contracting Parties shall not pay in either country, on their arrival or departure, other duties than those which are charged in either of the countries on the merchandize or products imported or exported by the merchants and subjects of the most favoured nation, and no exceptional tax, under any name or pretext whatever, shall be collected on them in either of the two countries.

Consular Jurisdiction in Persia: Suits and Disputes between Persian Subjects and United States Citizens.

ART. V. All suits and disputes arising in Persia between Persian subjects and citizens of the United States, shall be carried before the Persian tribunal to which such matters are usually referred at the place where a Consul or Agent of the United States may reside, and shall be discussed and decided according to equity in the presence of an employé of the Consul or Agent of the United States.

Jurisdiction. Suits and Disputes between United States Citizens.

All suits and disputes which may arise in the empire of Persia between citizens of the United States, shall be referred entirely for trial and for adjudication to the Consul or Agent of the United States residing in the province wherein such suits and disputes may have arisen, or in the province nearest to it, who shall decide them according to the laws of the United States.

Jurisdiction. Suits and Disputes between United States Citizens and Subjects of other Foreign Powers.

All suits and disputes occurring in Persia between the citizens of the United States and the subjects of other foreign Powers, shall be tried and adjudicated by the intermediation of their respective Consuls or Agents.

Jurisdiction. Trials in the United States of Disputes between Persian Subjects, or between them and United States Citizens or Foreigners.

In the United States, Persian subjects, in all disputes arising between themselves, or between them and citizens of the United States or foreigners, shall be judged according to the rules adopted in the United States respecting the subjects of the most favoured nation.

Jurisdiction. Trials for Criminal Offences.

Persian subjects residing in the United States, and citizens of the United States residing in Persia, shall, when charged with criminal offences, be tried and judged in Persia and the United States in the same manner as are the subjects and citizens of the most favoured nation residing in either of the above-mentioned countries.

Effects of Deceased Subjects or Citizens.

ART. VI. In case of a citizen or subject of either of the Contracting Parties dying within the territories of the other, his effects shall be delivered up integrally to the family or partners in business of the deceased; and in case he has no relations or partners, his effects in either country shall be delivered up to the Consul or Agent of the nation of which the deceased was a subject or citizen, so that he may dispose of them in accordance with the laws of his country.

Protection of Subjects and Citizens and their Commerce.

ART. VII. For the protection of their citizens or subjects, and their commerce respectively, and in order to facilitate good and equitable relations between the citizens and subjects of the two countries,

Right to Appoint Diplomatic Agents and Consuls at certain Places.

the two High Contracting Parties reserve the right to maintain a diplomatic Agent at either seat of government, and to name each three Consuls in either country; those of the United States shall reside at Teheran, Bender-Bushire,* and Tauris;† those of Persia, at Washington, New York, and New Orleans.

Consular Privileges, &c.

The Consuls of the High Contracting Parties shall reciprocally enjoy in the territories of the other, where their residences shall be established, the respect, privileges, and immunities

* Bushire. † Tabreez.

granted in either country to the Consuls of the most favoured nation.

Persian Subjects not to be Protected by United States Diplomatic Agent or Consuls.

The diplomatic Agent or Consuls of the United States shall not protect, secretly or publicly, the subjects of the Persian Government, and they shall never suffer a departure from the principles here laid down and agreed to by mutual consent.

Trading Consuls.

And it is further understood, that if any of those Consuls shall engage in trade, they shall be subjected to the same laws and usages to which private individuals of their nation engaged in commercial pursuits in the same place are subjected.

Employment of Domestics by United States Diplomatic and Consular Agents to be limited.

And it is also understood by the High Contracting Parties, that the Diplomatic and Consular Agents of the United States shall not employ a greater number of domestics than is allowed by Treaty to those of Russia residing in Persia.

Duration of Treaty. (*Till 13th June,* 1867; *and then terminable after* 12 *months' notice.*)

ART. VIII. And the High Contracting Parties agree that the present Treaty of Friendship and Commerce, cemented by the sincere good feeling and the confidence which exists between the Governments of the United States and Persia, shall be in force for the term of 10 years from the exchange of its ratification; and if, before the expiration of the first 10 years, neither of the High Contracting Parties shall have announced, by official notification to the other, its intention to arrest the operation of said Treaty, it shall remain binding for one year beyond that time, and so on until the expiration of twelve months, which will follow a similar notification, whatever the time may be at which it may take place; and the Plenipotentiaries of the two High Contracting Parties further agree to exchange the ratifications of their respective Governments at Constantinople in the space of six months, or earlier, if practicable.

In faith of which, the respective Plenipotentiaries of the two High Contracting Parties have signed the present Treaty, and have attached their seals to it.

Done in duplicate in Persian and English, the 13th day of December, 1856, and of the Hijereh the 15th day of the moon of Rebiul Sany, 1273, at Constantinople.

(L.S.) CARROLL SPENCE

(L.S.) EMIN UL MOLK FARRUKH KHAN.

PART IV.

ORDERS IN COUNCIL

RESPECTING BRITISH CONSULAR JURISDICTION IN PERSIA AND IN THE PERSIAN GULF AND GULF OF OMAN.

		Page
In Persia	13th December, 1889	193
In Persian Gulf and Gulf of Oman (Persian Coasts and Islands)	13th December, 1889	199

ORDER IN COUNCIL, relating to British Consular Jurisdiction in Persia.—13th December, 1889.*

(Extract.)

At the Court at Windsor, the 13th day of December, 1889.†

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President, Earl of Coventry, Lord Morris, Sir William Hart Dyke, Bart., Mr. Ritchie.

WHEREAS by Treaty, grant, usage, sufferance, and other lawful means, Her Majesty the Queen has power and jurisdiction in Persia:

Now, therefore, Her Majesty, by virtue and in exercise of the powers by the Foreign Jurisdiction Acts, 1843 to 1878, or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Persia Order in Council, 1889.

2. This Order is divided into parts as follows:—

Parts.	Subject.	Articles.
I	Preliminary	3–4
II	General Provisions	5–9
III	Courts	10–11
IV	Registration of Persons	12–15
V	Assessors	16–18
VI	General Jurisdiction and Procedure	19–66
VII	Civil Jurisdiction and Procedure	67–178
VIII	Proceedings on Death	179–213
IX	Appeal to Consul-General	214–229
X	Appeal to Her Majesty in Council	230–232
XI	Criminal Authority and Procedure	233–281
XII	Miscellaneous	282–289
XIII	Supplemental	290–299

I. *Preliminary.*

3. In this Order, unless the subject or context otherwise requires—

"Secretary of State" means one of Her Majesty's Principal Secretaries of State;

"Prescribed" means prescribed by any Consular instructions

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* See also Order in Council, page 199.

† This Order in Council was published in the "London Gazette" of 24th December, 1889.

or by any order or notification signed or authorized by a Secretary of State.

"Persia" means the dominions and territories of the Shah of Persia within the limits of this Order;

"Consul-General" means Her Majesty's Minister and Consul-General in Persia, or the person for the time being acting as such, with the authority or approval of a Secretary of State;

"Consular officer" includes any person for the time being acting by virtue of Her Majesty's Commission, or with the authority or approval of a Secretary of State, as Consul-General, Consul, or Vice-Consul, or Consular Agent;

"Treaty" includes any Convention, Agreement, or arrangement made by or on behalf of Her Majesty, and any Regulation appended thereto;

"Court" means any Court or person exercising jurisdiction under this Order;

"British subject" includes a person enjoying Her Majesty's protection in so far as Her Majesty has jurisdiction in respect of any such person, and includes by virtue of 39 and 40 Vict., cap. 46, subjects of the several Princes and States in India in alliance with Her Majesty, residing and being in Persia;

"Foreigner" means a person, whether a native or subject of Persia or not, who is not a British subject, as herein defined;

"Native" means a native or subject of Persia, or of the limits of the Persian coasts, not being a British subject;

"Native Indian subject" means a native of India, as defined in the Act of Parliament of 1858, "for the better government of India," not of European descent.

"Person" includes a Corporation or association of persons;

"Will" means will, codicil, or other testamentary instrument;

"Office copy" means a copy, either made under direction of the Court, or produced to the proper officer of the Court for examination with the original, and examined by him therewith, and in either case sealed with the seal of the Court as evidence of correctness;

"Oath" and "affidavit" and words referring thereto, or to swearing, include affirmation and declaration, or to the making of an affirmation or declaration, where an affirmation or declaration is admissible in lieu of an oath or affidavit;

"Proved" means shown by evidence on oath, in the form of affidavit, or other form to the satisfaction of the Court or Consular officer acting or having jurisdiction in the matter;

"Month" means calendar month.

The plural includes the singular and the singular the plural, and the masculine the feminine.

Expressions referring to print or to writing include either print or writing, or a combination of both.

"Crime" includes offence.

4. For the purposes of this Order, the word "Persia," or any term or expression referring to Persia, does not (except as in this Order expressly provided) include or apply to any place for the

time being included within the limits to which any other Order in Council for the time being in force relating to the Persian coasts and islands applies, which limits are in this Order referred to as the limits of the Persian coasts.*

In case of dispute or doubt whether any place is within the limits of Persia for the purposes of this Order, or is within the limits of the Persian coasts, the Consul-General may provisionally determine such dispute or question in such manner as he thinks fit, and his determination, unless and until the Secretary of State otherwise directs, shall be conclusive in all causes and matters arising under this Order.

Any provision of this Order referring to a country or place out of Persia includes any place within the limits of the Persian coasts.

II. *General Provisions.*

5. All Her Majesty's civil jurisdiction exercisable in Persia for the judicial hearing and determination of matters in difference, or for the administration or control of property or persons, and all Her Majesty's criminal jurisdiction there exercisable for the repression or punishment of crimes or offences, or for the maintenance of order, shall be exercised under and according to the provisions of this Order and not otherwise.

6. Subject to the other provisions of this Order, the civil and criminal jurisdiction aforesaid shall, as far as circumstances admit, be exercised on the principles of and in conformity with the Common Law, the doctrines of equity, the Statute Law, and other law for the time being in force in and for England, and with the powers vested in and according to the course of procedure and practice observed by and before Courts of Justice and Justices of the Peace in England, according to their respective jurisdictions and authorities.

7. Nothing in this Order shall deprive Her Majesty's Consular officers of the right to observe and to enforce the observance of, or shall deprive any person of the benefit of, any reasonable custom existing in Persia, except where this Order contains some express and specific provision incompatible with the observance thereof.

8. In any case in the decision of which, under any Treaty, any of Her Majesty's Consuls may or ought to concur, a Consular officer exercising jurisdiction under this Order shall alone act on the part and on behalf of Her Majesty.

9. Crimes, offences, wrongs, breaches of contract against or affecting the person, property, or rights of natives or other foreigners as herein defined, committed by persons subject to this Order, are punishable or otherwise cognizable under the provisions of this Order, with the consent of such natives or foreigners, in the same manner as if the same were committed against or affected the person, property, or rights of British subjects.

* See page 199.

III. *Courts.*

10. Courts for the purposes of this Order shall be held as follows:—

(1.) Courts of First Instance, in this Order called Provincial Courts, shall be held by such Consular officers in and for such districts as the Secretary of State from time to time directs.

(2.) The Consul-General shall at such place as the Secretary of State directs hold a Court, in this Order called the Court of the Consul-General, for the purposes of his appellate and other jurisdiction under this Order.

(3.) The Provincial Court for the district in which the Court of the Consul-General is held may be held either by the Consul-General or Vice-Consul, or by such other Consular officer as the Secretary of State or the Consul-General directs.

If it be held by the Consul-General, the provisions of this Order relating to appeals from a Provincial Court to the Consul-General are inapplicable, and the provisions of this Order with respect to appeals to Her Majesty in Council shall have effect as if the judgment, order, decree, or sentence of the Consul-General were a judgment, order, decree, or sentence of a Provincial Court affirmed on appeal by the Consul-General, and no other appeal shall lie.

11. In any matter, civil or criminal, a Court within whose district (in civil matters) the matter of complaint wholly or in part arose or happened, or the subject in dispute is wholly or partly situate, or the contract in question was wholly or partly made, or the breach thereof wholly or partly occurred, or the defendant resides or carries on business, or (in criminal matters) the crime was wholly or partly committed, or the accused person happens to be, shall have jurisdiction, and may deal with the case, as if every material fact or thing had happened, or was situate, within its district; but any such Court, if, in its opinion, justice or convenience so requires, may decline or suspend the exercise of jurisdiction, and may, if it thinks necessary or just, require security from the defendant or accused person for his appearance before some other Court having jurisdiction in the matter, and for obedience to any judgment or order of such other Court, and further, in a criminal case, if necessary, may arrest and commit the accused person, and cause him to be removed under warrant and in custody, to be dealt with by such other Court.

IV. *Registration.*

12. Every resident British subject (except a native Indian subject), being of the age of 21 years or upwards, or being married, or a widower or widow, though under that age, shall, in January in every year, register himself in a register to be kept at the Consulate of the Consular district within which he resides, subject to this qualification, that the registration of a man shall

be deemed to comprise the registration of his wife (unless she is living apart from him), and that the registration of the head of a family, whether male or female, shall be deemed to comprise the registration of all females being relatives of the head of the family (in whatever degree of relationship) living under the same roof with the head of the family at the time of his registration.

Every non-resident British subject (except a native Indian subject) arriving in Persia at a place where a Consular office is maintained, unless borne on the muster-roll of a British vessel, shall, within one month after his arrival, register himself in a register to be kept at the Consular office there, but so that no person shall be required to register himself more than once in any year, reckoned from the 1st of January.

Any person failing so to register himself, and not excusing his failure to the satisfaction of the Consular officer, shall be deemed guilty of an offence against this Order, and shall be liable to a fine of not more than 5*l.*, and any Court or authority acting under this Order may, if it thinks fit, decline to recognize him as a British subject.

13. A native Indian subject resident in, or resorting to, Persia, may, if he thinks fit, register himself at the times and in manner aforesaid.

A native Indian subject not so registering himself shall not be entitled to sue in the Court, or to receive the support or protection of a Consular officer with respect to any suit or proceeding to which he is a party in a Court or before a judicial officer of Persia, or in a Court or before a judicial officer in Persia of a State in amity with Her Majesty.

14. The Consular officer shall give to every person registered under this Order a certificate of registration under his hand and Consular seal; and the name of a wife (unless she is living apart from her husband) shall be indorsed on her husband's certificate; and the names and descriptions of females whose registration is comprised in that of the head of the family shall be indorsed on the certificate of the head of the family.

15. Every person shall on every registration of himself be liable to pay a fee of 2*s.* 6*d.*

V. *Assessors.* 16—18.

16. An Assessor shall be a competent and impartial British subject of good repute, resident in the district of the particular Court, and nominated and summoned by the Court for the purpose of acting as Assessor.

17. There shall ordinarily be not fewer than two, and not more than four, Assessors. Where, however, by reason of local circumstances, the Court is able to obtain the presence of one Assessor only, the Court may, if it thinks fit, sit with one Assessor only; and where for like reasons, the Court is not able to obtain the presence of any Assessor, the Court may, if it thinks fit, sit without an Assessor—the Court, in every case, recording

in the minutes its reasons for sitting with one Assessor only or without an Assessor.

18. An Assessor shall not have any voice in the decision of the Court in any case, civil or criminal; but an Assessor dissenting, in a civil case, from any decision of the Court, or, in a criminal case, from any decision of the Court or the conviction or the amount of punishment awarded, may record in the minutes his dissent, and the grounds thereof, and shall be entitled to receive, without payment, a certified copy of the minutes.

VI. *General Jurisdiction and Procedure.*

19—66. The Consul-General shall have in all matters, civil and criminal, an original jurisdiction concurrent with the jurisdiction of the several Provincial Courts, to be exercised subject and according to the provisions of this Order.

VII. *Civil Jurisdiction and Procedure.*

67.

68. *Bankruptcy.*

69. *Lunacy.*

70. *Matrimonial Causes.*

71—72. *Probate.*

73—85. *Arbitration.*

86. *Decision on Fact or Law, without Suit.* (*a.*) *Question of Fact.*

87. (*b.*) *Question of Law.*

88—93. *Bills of Exchange and Promissory Notes.*

94—96. *Claims under* 20*l.*

97—116. *Claims for* 20*l. or upwards. A. Ordinary Provisions.*

117—178. *B. Exceptional Provisions.*

VIII. 179—213.—*Proceedings on Death.*

IX. *Appeal to Consul-General.*

214—218. 1. General Provisions.

219—228. 2. Appeals by Petition.

229. 3. Appeals by Motion.

X. 230—232.—*Appeal to Her Majesty in Council.*

XI. *Criminal Authority and Procedure.*

233—238. 1. General Provisions.

239—241. 2. Court of the Consul-General.

242—244. 3. Provincial Courts.

245—249. 4. Preliminary Procedure.

250—262. 5. Summary Trial.

263—276. 6. Trial on Indictment.
277. 7. Appeal on Law to Consul-General.
278—280. 8. Punishment.
281. 9. Deportation of Offenders.

XII. 282—289.—*Miscellaneous.*
XIII. 290—299.—*Supplemental.*

THE FIRST SCHEDULE.

Forms.

I. Civil.
II. Probate and Administration.
III. Criminal.

THE SECOND SCHEDULE.

Fees.

ORDER IN COUNCIL relating to British Consular Jurisdiction in the Persian Gulf and Gulf of Oman (Persian Coasts and Islands).—13th December, 1889.*

(Extract.)

At the Court at Windsor, the 13th day of December, 1889.†

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President, Earl of Coventry, Lord Morris, Sir William Hart Dyke, Bart., Mr. Ritchie.

WHEREAS by Treaty, grant, usage, sufferance, and other lawful means, Her Majesty the Queen has power and jurisdiction, in relation to Her Majesty's subjects, and others, in that portion of the coasts and islands of the Persian Gulf and Gulf of Oman, which is within the dominions of His Majesty the Shah of Persia;

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Acts, 1843 to 1878, or otherwise, in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

* See also Order, page 193.

† This Order in Council was published in the "London Gazette" of 24th December, 1889.

PART I.—*Preliminary.*

1. This Order may be cited as "The Persian Coast and Islands Order in Council, 1889."

2. This Order is divided into Parts, as follows:—

Part I.—Preliminary.
Part II.—Application and Effect of Order.
Part III.—Application of certain Portions of the Law of British India.
Part IV.—Criminal Matters.
Part V.—Civil Matters.
Part VI.—Vice-Admiralty.
Part VII.—Persian and Foreign Subjects and Tribunals.
Part VIII.—Registration of British Subjects.
Part IX.—Procedure.
Part X.—Supplemental Provisions.

3. In this Order—

(1.) "Persian coasts and islands," or the expression "the limits of this Order," means the coast and islands of the Persian Gulf and Gulf of Oman, being within the dominions of His Majesty the Shah of Persia, and includes the territorial waters of Persia adjacent to the said coast and islands:

"Inland Persia" means the territories and dominions of the Shah of Persia, so far as not included within the limits of this Order:

(2.) "Secretary of State" means one of Her Majesty's Principal Secretaries of State:

(3.) "Consul-General" means the person for the time being holding the office of Her Majesty's Consul-General for Fars and the coasts and islands of the Persian Gulf, being within the dominions of Persia, and of Political Resident in the Persian Gulf, and includes a person acting temporarily with the approval of the Governor-General of India in Council as, or for, the Political Resident in the Persian Gulf:

(4.) "Judicial Assistant" means an officer appointed by the Secretary of State, or, with his previous or subsequent assent, by the Governor-General of India in Council, to be a Judicial Assistant to the Consul-General, and includes an officer acting temporarily by order of the Consul-General as, or for, a Judicial Assistant:

(5.) "British subject" means a subject of Her Majesty, by birth or by naturalization:

(6.) "British-protected person" means a person enjoying Her Majesty's protection within the Persian coast and islands, and includes by virtue of the Act of Parliament of the Session of the 39th and 40th years of Her Majesty's reign (1876), chapter 46, a subject of a Prince or State in India, in alliance with Her Majesty, residing or being within the Persian coast and islands:

(7.) "Resident" means having a fixed place of abode within the Persian coast and islands:

(8.) "Persian subject" means a subject of His Majesty the Shah of Persia:

(9.) "Foreigner" means a subject or citizen of a State in amity with Her Majesty, other than Persia:

(10.) "Persian or Foreign Court" means a Court of the Government of Persia, or of any foreign State in amity with Her Majesty, and exercising lawful jurisdiction within the Persian coast and islands, and includes every member or officer of such a Court:

(11.) "Administration" means (unless a contrary intention appears from the context) letters of administration, including the same with will annexed, or granted for special or limited purposes, or limited in duration:

(12.) "Ship" includes any vessel used in navigation, however propelled, with her tackle, furniture, and apparel, and any boat or other craft:

(13.) "Offence" means any act or omission punishable by a Criminal Court:

(14.) "Imprisonment" means imprisonment of either description, as defined in the Indian Penal Code:

(15.) "Month" means calendar month:

(16.) "Will" means will, codicil, or other testamentary instrument:

(17.) "Person" includes Corporation.

(18.) Words importing the plural or the singular may be construed as referring to one person or thing, or to more than one person or thing, and words importing the masculine as referring to females (as the case may require).

4. (1.) This Order shall be published in the "Gazette of India," within such time after the passing thereof as the Secretary of State may prescribe, and shall come into force on such day (hereinafter called the commencement of this Order), within six months after that publication, as the Governor-General of India in Council may, by notification in the said Gazette, appoint in this behalf.

(2.) But any appointment under this Order may be made at any time after its passing, and no proof shall, in any proceedings, be required of any of the matters prescribed by this Article.

PART II.—*Application and Effect of Order.*

5. (1.) This Order applies to—

(i.) British subjects being within the Persian coast and islands, whether resident or not:

(ii.) British ships being within the Persian coast and islands; and

(iii.) Persian subjects and foreigners, in the cases and according to the conditions in this Order specified, but not otherwise.

(2.) Such of the provisions of this Order as refer to British subjects, or to British subjects only, extend to British-protected persons in so far as by Treaty, grant, usage, sufferance, or other lawful means, Her Majesty has jurisdiction within the Persian coast and islands in relation to such persons.

6. All Her Majesty's jurisdiction, exercisable within the Persian coast and islands, under the Foreign Jurisdiction Acts, for the hearing and determination of criminal or civil matters, or for the maintenance of order, or for the control or administration of persons or property, or in relation thereto, shall be exercised under and according to the provisions of this Order, so far as this Order extends and applies.

PART III.—*Application of certain Portions of the Law of British India.*

7.

PART IV.—*Criminal Matters.*

8—22.

PART V.—*Civil Matters.*

23—31.

PART VI.—*Vice-Admiralty.*

32.

PART VII.—*Persian and Foreign Subjects and Tribunals.*

33. (1.) Every suit in which a British subject is a defendant, and a Persian subject is a plaintiff, shall within the Persian coast and islands be heard by a Court established under this Order.

(2.) The High Court of Bombay shall not exercise jurisdiction in any such suit, but where a decree or order in any such suit has been passed by any Court subordinate to the Consul-General, the Consul-General may call for the proceedings, and pass thereon such order as he may think fit, and any order so passed by him shall be final.

34. (1.) Where a foreigner desires to bring in a Court established under this Order a suit against a British subject, or a British subject desires to bring in such a Court a suit against a foreigner not being a subject of a Mahommedan Power, the Court shall entertain the same, and shall hear and determine it.

(2.) Provided that the foreigner, if required by the Court, first obtains and files in the proper office of the Court the consent, in writing, of the competent authority (if any), on behalf of his own nation to his submitting, and that he does submit by writing, to the jurisdiction of the Court, and, if required by the Court, gives security to the satisfaction of the Court, and to such reasonable amount as the Court thinks fit, by deposit or otherwise, to pay fees, costs, and damages, and abide by, and perform, the decision to be given by the Court or on appeal.

(3.) A cross-suit shall not be brought in the Court against a

plaintiff, being a foreigner, who has submitted to the jurisdiction, by a defendant, without leave of the Court first obtained.

(4.) The Court, before giving leave, may require proof from the defendant that his claim arises out of the matter in dispute, and that there is reasonable ground for it, and that it is not made for vexation or delay.

(5.) Nothing in this Article shall prevent the defendant from bringing in the Court against the foreigner, after the termination of the suit in which the foreigner is plaintiff, any suit which the defendant might have brought in the Court against the foreigner if no provision restraining cross-suits had been inserted in this Order.

(6.) Where a foreigner obtains, in a Court established under this Order, a decree or order against a defendant, being a British subject, and in another suit that defendant is plaintiff and the foreigner is defendant, the Court may, if it thinks fit, on the application of the British subject, stay the enforcement of the decree or order pending that other suit, and may set off any amount decreed or ordered to be paid by one party in one suit against any amount decreed or ordered to be paid by the other party in the other suit.

(7.) Where a plaintiff, being a foreigner, obtains a decree or order, in a Court established under this Order, against two or more defendants, being British subjects, jointly, and in another suit one of them is a plaintiff and the foreigner is defendant, the Court may, if it thinks fit, on the application of the British subjects, stay the enforcement of the decree or order pending that other suit, and may set off any amount decreed or ordered to be paid by one party in one suit against any amount decreed or ordered to be paid by the other party in the other suit, without prejudice to the right of the British subject to obtain contribution from his co-defendants under the joint liability.

(8.) Where a foreigner is co-plaintiff in a suit with a British subject who is within the Persian coast and islands, it shall not be necessary for the foreigner to give security under this Article as regards fees and costs, unless the Court so directs; but the co-plaintiff British subject shall be responsible for all fees and costs.

35.—(1.) Where it is proved that the attendance of a British subject to give evidence, or for any other purpose connected with the administration of justice, is required before a Persian or foreign Court, the Consul-General may, if he thinks fit, in a case and in circumstances in which he would, if acting in his judicial capacity, require the attendance of that person before himself, order that he do attend as required.

(2.) If the person ordered to attend, having reasonable notice of the time and place at which he is required to attend, fails to attend accordingly and does not satisfactorily excuse his failure, he shall, independently of any other liability, be liable to be punished with imprisonment for a term which may

extend to two months, or with fine which may extend to 1,000 rupees (459·77 dollars), or with both.

36. (1.) If a British subject wilfully gives false evidence in a proceeding before a Persian or foreign Court, or in an arbitration between a British subject on the one hand, and a Persian subject or foreigner on the other hand, he shall, on conviction before a competent Court of Criminal Jurisdiction, be liable to be punished with imprisonment for a term which may extend to two months, or with fine which may extend to 1,000 rupees (459·77 dollars), or with both.

(2.) Nothing in this Article shall exempt a person from liability under any other British or British Indian Law to any other or higher punishment or penalty:

Provided that no person shall be punished twice for the same offence.

37. (1.) Every agreement for reference to arbitration between a British subject on the one hand, and a Persian subject or a foreigner on the other hand, may, on the application of any party, be filed for execution in the proper office of a Court established under this Order.

(2.) The Court shall thereupon have authority to enforce the agreement, and the award made thereunder, and to control and regulate the proceedings before and after the award, in such manner and on such terms as the Court may think fit:

(3.) Provided that the Persian subject or foreigner, if so required by the Court, first obtains and files, in the proper office of the Court, the consent, in writing, of the competent authority (if any) on behalf of his own nation to his submitting, and that he does submit by writing to the jurisdiction of the Court, and, if required by the Court, gives security to the satisfaction of the Court, and to such reasonable amount as the Court thinks fit, by deposit or otherwise, to pay fees, costs, damages, and expenses, and abide by and perform the award.

PART VIII.—*Registration of British Subjects.*

38. (1.) Every resident British subject, being of the age of twenty-one years or upwards, or being married or a widower or widow, though under that age, shall, unless already registered, register himself or herself at an office appointed by the Consul-General in that behalf for the local area within which the British subject is resident.

(2.) Every such British subject, not resident, arriving at a place within the Persian coast and islands where there is an office as aforesaid, unless borne on the muster-roll of a British or foreign vessel there arriving, shall, within one month after arrival, register himself or herself at the office. But this provision shall not be deemed to require any person to register himself or herself oftener than once in a year reckoned from the first day of January.

(3.) The registration of a man shall, nevertheless, comprise the registration of his wife, if living with him; and

(4.) The registration of the head, male or female, of a family, shall be deemed to comprise the registration of all females being his or her relatives, in whatever degree, living under the same roof with him or her at the time of his or her registration.

(5.) The officer in charge of the office shall give to each person registered by him a certificate of registration signed by him and sealed with his seal.

(6.) The name of a wife, if her registration is comprised in her husband's, shall, unless in any case the Consul-General sees good reason to the contrary, be indorsed on the husband's certificate.

(7.) The names and descriptions of females, whose registration is comprised in that of the head of the family, shall, unless in any case the Consul-General sees good reason to the contrary, be indorsed on the certificate of the head of the family.

(8.) Every person shall, on every registration of himself, pay a fee of 2 rupees 8 annas (1·15 dollar), or such other amount as the Secretary of State, or, with his previous or subsequent assent, the Governor-General of India in Council, from time to time appoints.

(9.) The amount of the fee either may be uniform for all persons, or may vary according to the position and circumstances of different classes, as the Secretary of State or the Governor-General of India in Council, as the case may be, from time to time thinks fit, but shall not in any case exceed 2 rupees 8 annas (1·15 dollar).

(10.) Every person by this Order required to register himself at an office shall, unless excused by the officer in charge of the office, or unless such person is a woman who, by the custom of the class to which she belongs, is prevented from appearing in public, attend personally for that purpose at the office on each occasion for registration.

(11.) If any person fails to comply with the provisions of this Order respecting registration, and does not satisfactorily excuse his failure, the Courts established and officers appointed under this Order may, in any case in which they think fit, decline to recognize him as a British subject.

PART IX.—*Procedure.*

39—42.

PART X.—*Supplemental Provisions.*

43—60.

C. L. PEEL.

PART V.

AGREEMENTS BETWEEN GREAT BRITAIN AND RUSSIA RESPECTING PERSIA, 1834—1888.

		Page
1. Understanding respecting the maintenance of the Integrity and Independence of Persia. [Confirmed in 1873, 1874, and 1888.]	September, 1834	209
2. Agreement respecting Succession to the Persian Throne.	August, September, 1834	215
3. Agreement respecting a Map of the Turco-Persian Boundary.	March, 1865.	218
4. Protocol fixing the Boundary between Turkey and Persia in the Territory of Khotour.	27th July, 1880.	219

AGREEMENT between Great Britain and Russia to respect the Integrity and Independence of Persia. 1834—1888.

In 1783 the Caucasian range formed the northern boundary of Persia, although the Province of Daghestan extended beyond those mountains.

In that year Georgia revolted to Russia, and on the 24th July the Provinces of Cartalinia and Cachet were united to Russia by a Treaty concluded between the Russian authorities and the "Czar" of those Provinces.

In March, 1796, war was declared by Russia against Persia.

In 1801 the Kingdom of Georgia was incorporated with the Russian Dominions by a Russian Proclamation dated 28th January.

By the Treaty of Peace concluded between Persia and Russia at Gulistan, on the 12th October, 1813, the Khanates of Karabag and Ganschin, which formed the Province of Elizabethpol; the Khanates of Schekin, Shirwan, Derbent, Kubin, Baku, and Talisch, and their dependencies; Daghestan, Georgia; the Provinces of Schuragel, Imiritia, Guriel, Mingrelia, and Abassia; and the territories included between them and the Caucasian line, on the one side, and the Caspian Sea, on the other, were ceded to Russia.

A detailed description of this boundary is to be found at page 116.

By the same Treaty, Persia formally surrendered her right of having ships of war in the Caspian Sea.

On the $\frac{16}{28}$th September, 1826, war was again declared by Russia against Persia; and by Arts. IV and V of the Treaty of Peace signed at Tourkmantchai on the $\frac{10\text{th}}{22\text{nd}}$ February, 1828, the Khanats of Erivan and Naktchivan, in Armenia, were ceded by Persia to Russia.

A detailed description of this boundary is to be found at page 118.

In this Treaty it was again recorded that none but Russian ships of war were to be allowed in the Caspian Sea (see page 121).

On the 14th September, 1829, a Treaty of Peace was concluded at Adrianople between *Turkey* and Russia. In this Treaty, Turkey acknowledged that Georgia, Imiritia, Mingrelia, Gouriel, Erivan, and Naktchivan, which had been ceded to Russia by Persia, formed part of the Russian Empire; and she then herself ceded to Russia a part of the Pashalik of Akhaltjik, with the littoral of the Black Sea from the mouth of the Kuban, as far as the Port of St. Nicholas.

The boundary, therefore, between Persia and Russia, as defined by Treaty, *on the western shore of the Caspian Sea,* extends from Mount Ararat to Astera. The places named in the Treaties of 1813 and 1828 are marked on a Map inserted at page 120.

The boundary between Persia and Russia, *to the East of the Caspian Sea* (known as the Akhal-Khorassan Boundary) was defined by the Treaty of 21st December, 1881 (see page 136).

In 1834, on the occasion of the nomination by the Shah of Persia of Mahommed Merza as his successor, an "Understanding" was come to between the British and Russian Governments to respect the Integrity and Independence of Persia. No formal Treaty has been concluded on the subject, but this understanding has since been confirmed on several occasions, the last occasion being on the 12th of March, 1888. It was first recorded in a despatch addressed by Viscount Palmerston to H.M.'s Ambassador at St. Petersburgh on the 5th September, 1834.

The following is a copy of that Despatch:—

Viscount Palmerston to Mr. Bligh.

"SIR, *Foreign Office, September 5th*, 1834.

IN acknowledging the receipt of your despatch of the 6th August,* I have to instruct you to take an opportunity of expressing to the Russian Government the satisfaction of His Majesty's Government at the decision which has been taken by the Shah of Persia to nominate Mahommed Meerza as the successor to his throne; an event which, it is to be hoped, will avert the danger of civil war in Persia on the next demise of the Crown; and you will also say, that His Majesty's Government are gratified to find that the Governments of Great Britain and Russia are acting, with regard to the affairs of Persia, in the same spirit, and are equally animated by a sincere desire to maintain, not only the internal tranquillity, but also the Independence and Integrity of Persia.

His Majesty's Government will, at all times, find a real pleasure in co-operating with that of Russia for such purposes; and instructions have been sent to the British Resident at Tehran, to communicate confidentially with the Russian Representative, in furtherance of the common views of the two Governments.

I am, &c.,
PALMERSTON."

In November, 1838, Russia alluded to the "happy agreement of views and actions" which the two Governments had so much at heart to form in 1834, and a copy of the foregoing despatch, written by Lord Palmerston to Mr. Bligh in September, 1834, was forwarded from St. Petersburgh to the Russian Ambassador in London, in order that he might show it to Lord Palmerston, with an assurance that the same desire which then influenced the Russian Government to have a friendly understanding with England upon the affairs of Persia still existed, and an expression of regret upon the part of Russia that the good understanding which had existed between the Court of London and that of Tehran was disturbed for the time.

* Respecting the Affairs of Persia and Afghanistan.

Lord Palmerston expressed his entire satisfaction at receiving this declaration that the Russian policy with regard to Persia remained unchanged, and that it was the same which the two Powers had agreed to adopt in 1834.

The following are extracts from the correspondence which passed in 1838:—

Count Nesselrode to Count Pozzo di Borgo.—(*Communicated by Count Pozzo di Borgo, November* 11.)

(Translation.)

(Extract.) "*St. Petersburgh, October* 20 (*November* 1), 1838.

"IT will not be without advantage, M. le Comte, to place again before Lord Palmerston at the present time, the despatch, which at that period he addressed to the Minister of England at St. Petersburgh, and which the latter was then directed to communicate to us.

"Your Excellency will find a copy of it annexed. With this document in your hand, you will have the goodness, M. l'Ambassadeur, to make known to Lord Palmerston that the same sentiments which guided us in 1834, and which led us at the time to desire a friendly understanding with England upon the affairs of Persia, are now also the motive of the present step, and inspire us with the full confidence of seeing it lead to results fully as satisfactory as that which preceded it.

* * * * *

"Assuredly, it will rest with that Government alone to re-establish, between the Missions of Russia and of Great Britain at Tehran, that happy agreement of views and of actions which we had so much at heart to form in 1834, and which had at that time been attended with consequences so beneficial for the consolidation of the internal tranquillity of the Persian Monarchy."

Viscount Palmerston to Count Pozzo di Borgo.

(Extract.) *Foreign Office, December* 20, 1838.

"THE despatch from Count Nesselrode which your Excellency has communicated to me, contains upon these points assurances the most full and complete; and Her Majesty's Government accept as entirely satisfactory, the declarations of the Imperial Cabinet that it does not harbour any designs hostile to the interests of Great Britain in India; that its own policy with respect to Persia remains unchanged, and is the same which in 1834 the two Powers agreed to adopt."

The understanding of 1834 was again alluded to in the following Russian despatch written in January, 1839:—

Count Nesselrode to Count Pozzo di Borgo.—(Communicated by Count Pozzo di Borgo, February 25.)

(Translation.)

(Extract.) *St. Petersburgh, January* 29, 1839.

"THE Government of Her Britannic Majesty has received from us the formal assurance that it in no wise enters into the views of our Cabinet to desire to direct the slightest hostile combination against the security of the English possessions in India; and that, far from that, our policy, in respect to Persia, has invariably remained the same as it was in 1834, at the time when a perfect understanding was so happily established on this matter between Russia and England.

"In return for this clear and precise declaration, we consider that, on our part, we may rely upon the intention and upon the desire which the British Cabinet has, on its part, expressed, to the effect of replacing the order of things in Persia on its ancient footing, by re-establishing its relations of friendship and good understanding with that country."

These despatches were laid before Parliament in 1839, with other papers relating to the affairs of Persia and Afghanistan, and the passages quoted above are to be found at pages 3, 191, and 192.

In June, 1873, the Persian Government inquired what understanding existed between Great Britain and Russia respecting the maintenance of the integrity of Persia, when it was informed of what had passed in 1834 and 1838 in a note which was addressed by Earl Granville to the Sadr Azem, of which the following is a copy:—

Earl Granville to Sadr Azem.

"SIR, *Foreign Office, July* 2, 1873.

"YOUR Highness, in your letter of the 30th June, has expressed a wish to be made acquainted officially with what may have passed between Great Britain and Russia in regard to the maintenance of the integrity of Persia. I have the honour, in reply, to state to your Highness that, although no formal Treaty or agreement exists by which the two countries mutually agree to respect the integrity of Persia, yet that, in the year 1834, an understanding was arrived at between the two Governments on the occasion of the nomination of Mahomed Meerza as successor to the Throne of Persia. That understanding was based on the sincere desire of the two Governments to maintain, not only the internal tranquillity, but also the independence and integrity of Persia; and in the year 1838 Count Nesselrode adverted to the agreement entered into by the two Governments as still subsisting in full force, as t was also acknowledged to do by Her Majesty's Secretary of State for Foreign Affairs.

"Her Majesty's Government, as they recognize for themselves the principles which guided the general policy of Great Britain and Russia in favour of the independence and integrity of Persia in the year 1834, have reason to believe, from information which they have received from Lord Loftus, Her Majesty's Ambassador at St. Petersburgh, that the Russian Government refer with satisfaction to the mutual assurances which were made on this subject in 1834 and 1838. Her Majesty's Government consider that the best mode of confirming both Powers in those sentiments is, that Persia, while steadily maintaining her rights as an independent Power, should studiously fulfil in all respects her Treaty engagements with each, and so insure the continuance of the friendship which both Powers, even for their own interests, should desire to maintain with her.

I am, &c.,

Sadr Azem. GRANVILLE."

Count Brunnow was also told of the communication which had been made to the Persian Government, at which he expressed his satisfaction, as will be seen from the following extract from a despatch addressed by Earl Granville to Her Majesty's Ambassador at St. Petersburgh on the 10th July, 1873:—*

Earl Granville to Lord A. Loftus.

(Extract.) *Foreign Office, Jnly* 10, 1873.

"I ALSO informed Count de Brunnow, as he had broached the subject of the Shah's visit, that the Persians had inquired as to the nature of the engagements which subsisted between Great Britain and Russia as to the integrity of the Persian territory, and that I had told the Grand Vizier that, although no formal Treaty or agreement existed by which the two countries mutually agreed to respect the integrity of Persia, yet that in the year 1834 an understanding was arrived at between the two Governments on the occasion of the nomination of Mahomed Meerza as successor to the Throne of Persia; that that understanding was based on the sincere desire of the two Governments to maintain, not only the internal tranquillity, but also the independence and integrity of Persia; that in the year 1838 Count Nesselrode adverted to the agreement entered into by the two Governments as still subsisting in full force, as it was also acknowledged to do by Her Majesty's Secretary of State for Foreign Affairs, and that Her Majesty's Government, as they recognized for themselves the principles which guided the general policy of Great Britain and Russia in favour of the independence and integrity of Persia in the year 1834, had reason to believe, from information which they had received from Lord A. Loftus, Her Majesty's Ambassador at St. Peters-

* "State Papers," vol. 65, page 981.

burgh, that the Russian Government referred with satisfaction to the mutual assurances which were made on this subject in 1834 and in 1838; and that Her Majesty's Government considered that the best mode of confirming both Powers in those sentiments was that Persia, while steadily maintaining her rights as an independent Power, should studiously fulfil in all respects her Treaty engagements with each, and so insure the continuance of the friendship which both Powers, even for their own interests, should desire to maintain with her.

Count de Brnnnow expressed satisfaction.

I am, &c.,

Lord A. Loftus. GRANVILLE."

On the 23rd December, 1874, M. de Westmann, the Russian Acting Minister for Foreign Affairs, again assured Her Majesty's Ambassador at St. Petersburgh that he fully admitted the existence, at that time, of the understanding arrived at in 1834 and 1838.

The engagements entered into between Great Britain and Russia to respect and promote the integrity and independence of Persia were renewed and confirmed in 1888 by an exchange of Notes, from which the following are extracts:—

The Marquis of Salisbury to Sir R. Morier.

(Extract.) *Foreign Office, February* 21, 1888.

"I HAVE noticed in the extracts from the Russian press which you have forwarded to this Office that there is a tendency to attach importance to Sir H. Drummond Wolff's appointment as Her Majesty's Minister at Tehran, and to look upon it as evidence of an endeavour on the part of Her Majesty's Government to obtain predominant influence in Persia, to the detriment of Russia.

. . . . . .

"He [Sir H. Wolff] will be authorised to give the Shah the strongest assurances of the continued desire of Her Majesty's Government to respect and promote the integrity and independence of Persia, and it would be satisfactory if he could be enabled to state that Her Majesty's Government had ascertained, by an exchange of views with that of Russia, that the agreement arrived at on this subject in 1834 and 1838, and renewed by mutual assurances on several subsequent occasions, remains in full force."

The reply of the Russian Government is recorded in the following despatch:—

The Marquis of Salisbury to Sir R. Morier.

(Extract.) *Foreign Office, March* 12, 1888.

"M. DE STAAL called here this afternoon and read to me a despatch from M. de Giers. His Excellency was not authorized to leave a copy of it.

"The despatch was written in very friendly terms.

"After briefly recapitulating the interview which he had with your Excellency, and in which he had stated that he would convey through M. de Staal the definitive conclusions of the Russian Government on the several points touched on in the despatch, M. de Giers went on to mention and discuss those points.

"In the first place, as regards our desire for an assurance that the engagement between the two Governments to respect and promote the integrity and independence of Persia is considered by the Russian Government as remaining in full force, M. de Giers states that, although, in their opinion, there are no present grounds for apprehending any danger to Persia, and although they have received no communication on the subject from Tehran, yet the Russian Government have no objection to placing again on record that their views on this point are in no way altered. The Persian Government, his Excellency adds, have on more than one occasion had tangible proof of this; and he alludes to a military demonstration made at the request of the Shah in 1880 on the Caucasian frontier, when a portion of the Province of Azerbaïdjan was suffering from the incursions of bands of Kurds. . . . . .

"I have expressed to M. de Staal, and I request your Excellency to offer M. de Giers, my best thanks for this frank and courteous communication of the views of the Russian Government. It has been highly satisfactory to Her Majesty's Government to learn that those views are so much in accordance with their own; and they owe their acknowledgments to M. de Giers for enabling Sir H. D. Wolff to inaugurate his mission by an assurance to the Shah that the engagements between Great Britain and Russia to respect and promote the integrity and independence of the Persian kingdom have again been renewed and confirmed."

I am, &c.,

Sir R. Morier. SALISBURY."

AGREEMENT between Great Britain and Russia respecting the Succession to the Persian Throne.—August—September, 1834.

ABBAS MIRZA, who was Prince Royal of Persia under Fath-Ali Shah, and who had been named by His Majesty as Heir Apparent to the Throne, died on the 22nd October, 1833, during the lifetime of his father, leaving several sons. At his death the question arose as to the succession to the Persian Throne, and a correspondence passed between the British and Russian Governments on the subject. Various candidates aspired to the Throne: but in the case of Fath-Ali Shah and his predecessor, Aga Mohammed, it had been laid down as a principle, in the selection o

the Heir to the Throne, that he should be descended from Kajars, by his mother as well as by his father, and Abbas Mirza was accordingly chosen, in preference to his elder brother; Fath-Ali Shah was, therefore, anxious on the occasion of the death of Abbas Mirza, to nominate his grandson, Mahommed Meerza (eldest son of the late Crown Prince, Abbas Mirza, by an Akdi* wife of the highest rank of the Kajar Tribe) as Heir. The British and Russian Governments were in favour of the pretensions of Prince Mohammed Meerza, son of Abbas, they being of opinion that this choice was, on the whole, the most eligible one, and the British Resident and the Russian Ambassador at Tehran were accordingly instructed to recommend the Shah to settle the crown upon that grandson. His Majesty accepted this advice, and eventually decided upon nominating that Prince as his successor. The correspondence which passed on the subject was laid before Parliament in 1839 with the "Correspondence relating to Persia and Afghanistan," and it included the following despatches (see "State Papers," Vol. 23, page 863):—

(1.) *Substance of a Despatch from Count Nesselrode to Count Medem; and communicated to Viscount Palmerston by Count Medem, 22nd August*, 1834.

(Translation.)

"We expect to see the Representatives of Russia and England in Persia, authorized to act in concert in a spirit of peace and union, as the despatch from my office of the 30th of June has already expressed the desire should be the case.

"The importance of providing, with this view, the two Representatives with corresponding instructions, is no wise diminished by the mere fact of the nomination of the hereditary Prince. That event, however satisfactory it may be, is nevertheless not in itself sufficient to consolidate the tranquillity of Persia, and to remove from that country all the elements of internal discord and disturbance.

"We consequently continue to think that a conformity of language and conduct on the part of the Representatives of Russia and of Great Britain, would, of all political combinations, be the one which would most effectually contribute to maintain the tranquillity of Persia, and to prepare the country for a new reign, without exposing that Empire to the disorders inseparable from any contested succession."

(2.) *Viscount Palmerston to Mr. Bligh.*

"SIR, *Foreign Office, 5th September*, 1834.

"I have to instruct you to take an opportunity of expressing to the Russian Government the satisfaction of His

* A higher Order of Marriage than the "Sighah."

Majesty's Government at the decision which has been taken by the Shah of Persia to nominate Mahommed Meerza as the successor to his throne; an event which it is to be hoped will avert the danger of civil war in Persia on the next demise of the Crown; and you will also say that His Majesty's Government are gratified to find that the Governments of Great Britain and Russia are acting, with regard to the affairs of Persia, in the same spirit, and are equally animated by a sincere desire to maintain, not only the internal tranquillity, but also the independence and integrity of Persia.*

"His Majesty's Government will at all times find a real pleasure in co-operating with that of Russia for such purposes; and instructions have been sent to the British Resident at Tehran to communicate confidentially with the Russian Representative, in furtherance of the common views of the two Governments.

I am, &c.,

PALMERSTON."

The Hon. J. D. Bligh.

(3.) *Mr. Bligh to Viscount Palmerston.—(Received January 5, 1835.)*

(Extract.) *St. Petersburgh, December 8, 1834.*

"I have just seen Count Nesselrode, who has given me some details respecting the death of the Shah of Persia. Count Nesselrode seems to anticipate that Persia will inevitably become the scene of civil commotion, and expresses his satisfaction that, under such circumstances, the British and Russian Governments should have come to a good understanding upon this matter.

J. D. BLIGH."

Viscount Palmerston.

Fath-Ali Shah died in October, 1834, when Mahommed Shah succeeded him on the throne. In the following year, Shah Mahommed nominated his son Nassir-ud-din, then an infant only 4 years old, as his successor. Nassir-ud-din was the eldest son of the Shah by an "Akdi-Kajar" wife, and his nomination was approved by the British, Russian, and other European Governments.

Shah Mahommed died on the 4th September, 1848, and on the 20th October, the Heir Apparent, who was then about 19 years of age, entered Tehran, and formally ascended the throne as Nassir-ud-din Shah; and, in August, 1852, the Shah nominated his son, Prince Moo-eer-ood (Muzaffer-ed-deen), Heir to the throne.

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* See Understanding between Great Britain and Russia, 1834, page 209.

AGREEMENT between Great Britain and Russia respecting a Map of the Turco-Persian Boundary.—March, 1865.*

THE Treaty of Erzeroum was signed on the 31st May, 1847,† for the settlement of the Turco-Persian boundary.

Subsequent meetings of the Commission were held in 1849, 1850, and 1851 at Bagdad and Mohammerah.

In 1851 Lord Palmerston, in a despatch to Sir H. Seymour, at St. Petersburgh, stated that it was clear that no settlement would be come to except by an arbitrary decision on the part of Great Britain and Russia; and he therefore proposed that the general line of frontier should be traced by the Agents of the Mussulman Powers at Constantinople, assisted by the Commissioners, in conformity with the stipulations of the Treaty of Erzeroum, leaving doubtful localities to be settled in detail in the future.

The Russian Government agreed to this proposal, and the work of surveying the country from Mount Ararat to the Persian Gulf was then commenced. When this was done the preparation of a map of the Turco-Persian frontier, embracing territory 700 miles in length by from 20 to 40 miles broad, was put in hand, and this work lasted from November, 1857, till March 1865, when the Porte was informed in May of that year that, "in the opinion of the Mediating Powers, the future line of boundary between the respective dominions of the Sultan and the Shah was to be found within the limits traced on the Map; that the two Mahommedan Governments should themselves mark out the line; and that, in the event of any differences arising between them in regard to any particular locality, the points in dispute should be referred to the decision of the Governments of England and Russia."

This boundary has remained unsettled down to the present time, and disputes have frequently arisen between the Turkish and Persian Governments respecting their respective claims to land, in the Posht-i-Ku District, known by the Turks as the Seyd-Hassan Lands and by the Persians as Bagsai and Ghoreibeh. These districts include a portion of the Saifi and Malkhatari Lands.

In 1873 an Agreement, which had been entered into between the Two Powers two or three years previously, was renewed, by which it was agreed that Ghoreibeh and Bagsai should remain intact, and should not be interfered with on either side, and that neither side should claim or institute any right of possession by cultivation, or otherwise, until the Commission appointed had expressed its opinion.

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* A temporary Boundary Agreement was signed between Persia and Turkey on the 3rd August, 1869. See page 176. In September, 1869, a copy of this "Identic Map" was officially communicated to the Turkish and Persian Governments respectively (see note, page 176).

† Page 169.

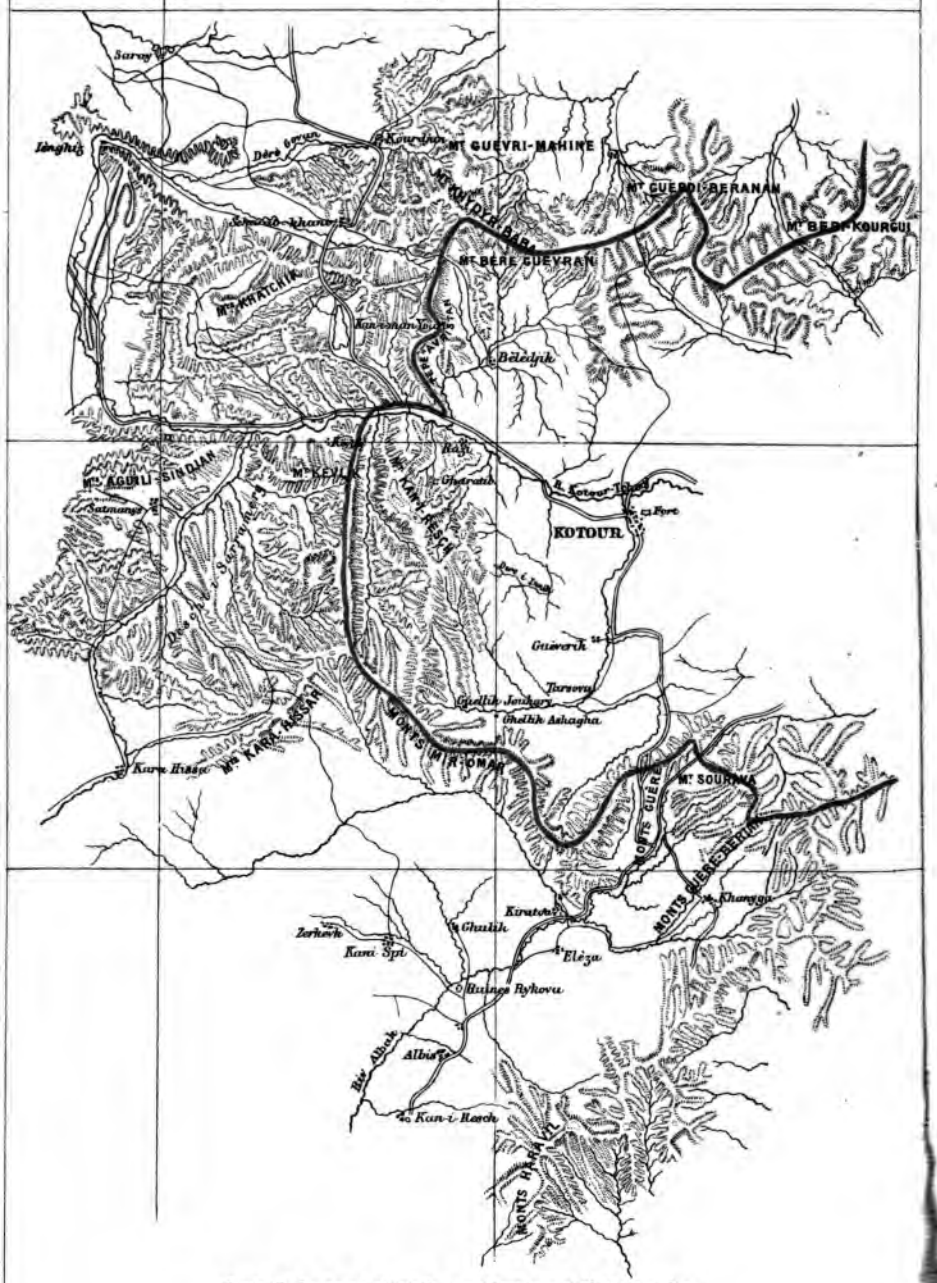
MAP

Shewing the Delimitation of the

TERRITORY OF KOTOUR

27 July 1880.

MAP
(ON A REDUCED SCALE)
shewing the delimitation of the
TERRITORY OF KOTOUR.



Copie de la carte officielle dite, identique à l'échelle 75000 représentant en vert la ligne frontière Turco-Persane du territoire de Kotour, comme elle était tracée par le Général Kemball et le Colonel Zelenoy, de leurs propres mains, sur deux exemplaires de la réduction anglaise à l'échelle 253440 de la dite carte officielle.

Certifié comme conforme à l'original de deux dits exemplaires.

Sarykamish
27 Juillet 1880.

E B Ramley

A. Zélénoy

HARRISON & SONS, LITH. ST. MARTIN'S LANE, W.C.

PROTOCOL OF CONFERENCE between the British and Russian Commissioners respecting the Delimitation of the Territory of Khotour, with the object of fixing the Frontier Line of that Territory in conformity with Art. 60 of the Treaty of Berlin. Sary Kamish, $\frac{15}{27}$th July*, 1880.

(Translation.)

Present:

For Great Britain—
Major-General Sir Edward Hamley, K.C.M.G., C.B.
Captain Everett (Assistant).

For Russia—
Major-General Zelenoy.
Colonel Koulberg (Assistant).

General Sir Edward Hamley and General Zelenoy, after having exchanged their powers, carefully examined that part of the labours of the mixed Anglo-Russian Commission which concerned the territory of Khotour alone. Those labours consisted in tracing the frontier line laid down upon two maps on the scale of $\frac{1}{253440}$, an English reduction from the great official map $\frac{1}{730560}$, by the hands of the Commissioners of the Anglo-Russian Mixed Commission; General Kemball for Great Britain and Colonel Zelenoy (actually the same General Zelenoy, the signer of this Protocol) for Russia.

General Sir E. Hamley and General Zelenoy declare, General Zelenoy from his own knowledge, and General Sir E. Hamley from evidence shown by the said maps and the precise explanations given by General Zelenoy, that the two delegates of the said former Commission were agreed with regard to the definitive frontier line of Khotour, of which the tracing made by them is shown on the two English reductions above mentioned from the official map.

The task of the former Commission being, not the partial delineation of the Valley of Khotour, but the entire Turco-Persian frontier, of which the delineation of Khotour only presented a very small part, it naturally followed that, in this continuity of the entire frontier, it was sufficient to determine alone all the frontier west of the Valley of Khotour, and the two extremities by which this frontier of Khotour was connected with the rest of the entire Turco-Persian frontier.

However, considering the question of Khotour from its history as a separate question, the said Commission is also agreed upon the frontiers north and south of the Valley of Khotour. Consequently all the frontier line of the territory of Khotour traced by General Kemball and Colonel Zelenoy upon

* Art. 60 of Treaty of Berlin of 13th July, 1878: "The Sublime Porte cedes to Persia the Town and Territory of Khotour, as fixed by the mixed Anglo-Russian Commission for the delimitation of the frontiers of Turkey and of Persia." [A Boundary Line was suggested by the British and Russian Commissioners, General Sir A. B. Kemball and General Zelenoy, in July, 1879.]

the said English reduction of the great official map follows the following line actually described by the undersigned on the map annexed to the present Protocol.

The frontier on the north, starting from the Ber-i-Kurgin Mountains, proceeding in a general direction towards the west, reaches the mountains Guerdi-Béranan and Bere Gevran, and continues as far as the summit of Mount Khydyr-Baba, where the northern frontier joins the western frontier of the territory of Khotour. During the whole of its course, the frontier to the north joins the water parting of the left affluent of the Khotour-tchai, afterwards the waters of Beledgik to the west, as far as the waters of the Bere-i-Kurgin Mountains to the east, with the right affluent of Tchewentchyk over the same space.

The western frontier starts from the same summit of the Khydyr-Baba Mountains, proceeds in a general direction towards the south, by the Kemarouk, Guedouk, and Tépé Avristan Mountains, as far as the left bank of the Khotour-tchai, leaving to Persia all the dale of Beledgik, and to Turkey the dale of Kan-i-man-Yourl, then remounting the left bank of the Khotour-tchai to the north of the main road, the frontier crosses this road and this river opposite to the mountains which stand on the left bank of the Schiwa-resl stream; follows the crest of these mountains, and rejoining, by the line of the water parting of Khotour and of the Alback-tchai, the Mir-Omar Mountains, leaving to Persia the defile and village of Razi, the village of Gharatil, and the village of Panamaik, and to Turkey the village of Kevlik. The frontier to the south starts from the Mir-Omar Mountains, proceeds in a general direction towards the east by the summit of Mount Srurowa, as far as the extremity next of the Kerpilay Mountains, following from west to east the water parting of Khotour and of Alback-tchai, and then of Khotour-tchai and of Dere-dishivan.

List of British Ambassadors and Envoys to the Court of Persia, 1800–1890.

A.D.

1800. Nov. Captain (afterwards Colonel Sir John) Malcolm (sent by Lord Wellesley, Governor-General of India, to Fat-h 'Aly). (Concluded Treaties of January, 1801.)

1807. 5th June. Sir Harford Jones, Bart. (afterwards Sir Harford Jones Brydges), Envoy Extraordinary (sent by George III to Fat-h 'Aly). (Concluded Treaty of 12th March, 1809.)

1810. Sir John Malcolm (sent by Lord Minto, Governor-General of India, to Fat-h 'Aly).

„ 6th March. Sir Gore Ouseley, Ambassador (sent from England). (Concluded Treaty of 14th March, 1812.)

A.D.

1814. 18th April. Mr. James Morier, Minister Plenipotentiary, *ad interim.*

„ 18th April. Mr. Henry Ellis (afterwards Right Honourable Sir Henry), Minister Plenipotentiary, *ad interim*, in the event of Mr. Morier's absence. (Treaty of 25th Nov., 1814, concluded by Mr. Morier and Sir Henry Ellis.)

1815. 30th June. Mr. Henry Willock, Chargé d'Affaires.

1826. 29th July. Colonel (afterwards Sir John) Macdonald, Envoy Extraordinary from the Supreme Government of India. (Concluded arrangement in 1828 for cancelling Subsidy Articles of Treaty of 1814.)

1835. 30th June. Right Honourable Sir Henry Ellis, Ambassador. (To bear the King's congratulations to the Shah of Persia, on his accession to the Throne.)

1836. 9th February. John M'Neill (afterwards Sir John), Minister Plenipotentiary.

„ 25th May. The same, Envoy Extraordinary and Minister Plenipotentiary. (Concluded Commercial Treaty of 28th October, 1841.)

1844. 17th September. Lieutenant-Colonel Justin Sheil (afterwards Lt.-General Sir Justin), Envoy Extraordinary and Minister Plenipotentiary. (Concluded Slave Trade Agreement of August, 1851.) (Died 17th April, 1871.)

1848. Lt. Colonel Farrant, Chargé d'Affaires.

[Diplomatic relations were suspended from 4th November till 26th November, 1853, but the Mission was not withdrawn from Tehran.]

1854. 3rd September. Honourable Charles A. Murray (now Rt. Hon. Sir Charles), Envoy Extraordinary and Minister Plenipotentiary.

[In December, 1855, a letter was addressed by the Shah to the Sahr Azim, which contained most insulting remarks respecting Mr. Murray. Diplomatic relations were in consequence suspended, 5th December, 1855, and War was declared by Great Britain against Persia at Calcutta, 1st November, 1856; a Treaty of Peace was signed at Paris, 4th March, 1857, the ratifications of which were exchanged at Bagdad, 14th April, 1857. The Honourable Charles A. Murray (now Sir Charles) was then sent back to Persia by the British Government, when the Shah received him with great state, and apologised for the insult which had been offered to him in December, 1855. The insulting letter which was withdrawn was annexed to the Treaty of Peace.]

A.D.

1859. 16th April. Major-General Sir Henry Creswicke Rawlinson, Envoy Extraordinary and Minister Plenipotentiary.

1860. 7th April. Charles Alison, Envoy Extraordinary and Minister Plenipotentiary. (Died at Tehran, 29th April, 1872.)

1872. 15th July. William Taylour Thomson (afterwards Sir William), Envoy Extraordinary and Minister Plenipotentiary. (Died 15th September, 1883.)

1879. 14th June. Ronald F. Thomson (afterwards Sir Ronald), Envoy Extraordinary and Minister Plenipotentiary. (Died 15th November, 1888.)

1885. 4th November. Arthur (now Sir A.) Nicolson, Chargé d'Affaires.

1887. 3rd December. Right Honourable Sir Henry Drummond Wolff, Envoy Extraordinary and Minister Plenipotentiary.

LIST OF PERSIAN REPRESENTATIVES ACCREDITED TO THE COURT OF GREAT BRITAIN, 1810–1890.

A.D.

1810. Mirza Abul Hassan.

1819–1820. Mirza Abul Hassan.

1822. September. Mirza Saleh.

1826–1827. Sadek Bey.

1839. Hussin Khan (not received by Her Majesty).

1851. Sheffee Khan, Chargé d'Affaires.

1852. September. Shafee Khan, Envoy Extraordinary and Minister Plenipotentiary.

1856. Ferukh Khan, Ambassador Extraordinary.

1859. Mirza Hassan Ali Khan, Envoy Extraordinary and Minister Plenipotentiary.

1860. May. Mirza Djaafer Khan, Ambassador Extraordinary.

1862. October. Mahmoud Khan, Envoy Extraordinary and Minister Plenipotentiary.

1867. April. General Hadji Muhsin Khan, Chargé d'Affaires.

1869. May. „ „ Minister Resident.

1871. 31st October. General Hadji Muhsin Khan, Envoy Extraordinary and Minister Plenipotentiary.

1872. October. Mirza Malcom Khan Nazem Oul Moulk (afterwards Prince Nazem Malcom Khan), Envoy Extraordinary and Minister Plenipotentiary.

1887. Prince Hissam-us-Sultaneh, Ambassador Extraordinary on Special Mission to convey Jubilee Congratulations to Her Majesty.

1890. 10th March. Mirza Mahommed Ali Khan, Envoy Extraordinary and Minister Plenipotentiary.

SUBJECT INDEX

Abbas Mirza, Prince. Succession to Persian Throne. Treaty. Russia. 22nd February, 1828. Art. 7, page 120.

..... Agreement. Great Britain and Russia. August, September, 1834, page 215.

Afghanistan. Attempted Invasion of India. Treaty, January, 1801. Arts. 2, 3, page 1.

..... Mutual Engagements. Great Britain and Persia. Eventuality of War. 14th March, 1812. Arts. 5, 6, page 5; 25th November, 1814. Arts. 8, 9, page 6.

..... British Award. Dispute. Persia and Afghanistan. Seistan Boundary. August, 1872. Page 63.

..... Withdrawal of Persian Troops. Treaty. Great Britain. 4th March, 1857. Art. 5, page 17.

..... Relinquishment of Persian Claims to Sovereignty. Ditto. 4th March, 1857. Art. 6, page 18.

..... Non-interference of Persia in affairs of. Ditto. 4th March, 1857. Art. 6, page 18.

..... Persian recognition of Independence. Ditto. 4th March, 1857. Art. 6, page 18.

..... Differences between Persia and Afghanistan. British good offices and influence. Ditto. 4th March, 1857. Art. 6, page 18.

..... Eventual Violation of Persian Territory by Afghans. Ditto. 4th March, 1857. Art. 7, page 18.

..... Release of Prisoners of War. Ditto. 4th March, 1857. Art. 8, page 19.

See also Boundaries.

"*Aggression.*" Definition of Word. Treaty. Great Britain. 25th November, 1814. Art. 3, page 6.

Akhal-Khorassan. Boundary. Treaty. Russia and Persia. 21st December, 1881, page 136. (Map.)

..... Commercial Intercourse. Roads. Treaty. Russia. 21st December, 1881. Art. 5, page 139.

Akhal Water Supply. Treaty. Russia. 21st December, 1881. Art. 4, page 139.

Ambassadors. Persian to the Porte. Treaty. Turkey. 23rd October, 1727, Art. 3, page 153.

..... Persian to Great Britain. List, 1810-1890, page 220.

..... British to Persia. List, 1800-1890, page 222.

See also Diplomatic Agents.

Amnesty. Treaty. Russia. 22nd February, 1828. Art. 15, page 124.

..... Treaty. Great Britain. 4th March, 1857. Art. 4, page 17.

Apology. Insult to British Minister. Treaty, 4th March, 1857. Art. 10, page 19.

Arms, &c. Non-supply to Turcomans. See Turcomans.

Army. See Persian Army.
Asterabad. Telegraph to Chekishlar. See Telegraphs.
Attrek River. Boundary. Caspian Sea. Agreement. Russia. 13th December, 1869, page 133.
..... Ditto. Treaty. Russia. 21st December, 1881. Art. 1, page 137.
Austria-Hungary. Convention. 17th May, 1857, page 66.
Award. British. See Beloochistan, Kelat, Seistan.
Azerbijan. Part ceded by Persia to Turkey. Treaty, January, 1747, page 160.

Bagsai. See Posht-i-ku.
Bankruptcies. Firmaun. Protection. British Merchants. May (June), 1844, page 50.
..... Austria-Hungary. Treaty, 17th May, 1857. Art. 10, page 71.
..... Germany. Treaty, 11th June, 1873. Art. 14, page 90.
Belgium. Commercial Treaty with Persia. 31st July, 1857, page 73.
Beloochistan. Boundary. Agreement. Great Britain and Persia. 1–4 September, 1871, page 105.
..... Ditto. Proposed Amended Agreement. Ditto. 15th May, 1873, page 106.
Bender-Abbas. Treaty. Persia and Oman. 17th November, 1856, page 112.
Bender-Bushire. See Bushire.
Bombay. Residence of Persian Consul. Treaty. Great Britain. 28th October, 1841. Art. 2, page 11.
Bonds. See Subsidy.
Boundaries. Persia and Afghanistan. Seistan. British Award. August, 1872, page 63.
..... Ditto. Heri Rud, near Zulficar Pass. Protocol. 10th September, 1885, page 65.
..... Ditto. Ditto, ditto. 22nd July, 1887, page 65.
———— Persia and Beloochistan (Kelat and Mekran). Agreement. 1st—4th September, 1871, page 105.
..... Ditto. Alteration proposed. 15th May, 1873, page 106.
———— Persia and Russia. Georgia, &c. Treaty. 12th October, 1813. Arts. 2, 3, page 116.
..... Ditto. 22nd February, 1828. Treaty. Arts. 3–5, pages 118–120.
..... Ditto. East of the Caspian Sea. Agreement. 13th December, 1869, page 133.
..... Ditto. Akhal-Khorassan. Attrek-Lutfabad. Convention. 21st December, 1881, page 136.
———— Persia and Turkey. Treaty, January, 1746. Art. 3, page 158.
..... Ditto. Treaty, 28th July, 1823. Preamble, page 163.
..... Ditto. Treaty, 31st May, 1847. Arts. 2–4, page 169.
..... Ditto. Agreement. Great Britain and Persia. Mount Ararat to Persian Gulf. March, 1865, page 212.
Brigandage. Treaty. Turkey. 31st May, 1847. Art. 8, page 172.
British Claims. Against Persia. Treaty, 4th March, 1857. Art. 11, page 19.
British Minister. Servants and Dependents. Firmauns. 15th September, 1839, and April, 1840, pages 48, 49.
..... Apology for Insult to. Reception at Tehran. Treaty, 4th March, 1857. Art. 10, page 19.
British Troops. Withdrawal from Persian Territory. Treaty, 4th March, 1857. Art. 14, page 20.
Bushire. Agreement. Shaik Sadoon. British Factory. Garden. Burial Ground. Trade, &c. 12th April, 1763, page 11.

Bushire. Royal Grant. British Factory, &c. 2nd July, 1763, page 11.
..... British Resident. Treaty. Great Britain. 28th October, 1841. Art. 2, page 10.

Caspian Sea. Persian Navy. Treaty, 14th March, 1812. Art. 7, page 5.
..... Navigation by Russian Vessels of War. Treaty. Russia. 12th October, 1813. Art. 5, page 115.
..... Ditto. Treaty. Russia. 22nd February, 1828. Art. 8, page 121.
..... Navigation by Merchant Vessels. Treaty. Russia. 12th October, 1813. Art. 5, page 115.
..... Ditto. Treaty. Russia. 22nd February, 1828. Art. 8, page 121.
..... Coasting Trade. Treaty. Russia. 12th October, 1813. Art. 5, page 115.
..... Ditto. Treaty. Russia. 22nd February, 1828. Art. 8, page 121.
..... Persian Trade with Russia. Duties. Treaty. Russia. 22nd February, 1828. Arts. 1, 3, pages 125, 126.
..... Russian Prohibition against Establishment of Companies for Navigation of Caspian Sea, except by Russian Subjects, and against purchase by Foreigners of Shares in such Companies. 24th November, 1869, page 121.
..... Boundary. East of. Agreement. Russia and Persia. 13th December, 1869, page 133.
..... Ditto. Treaty. Russia. 21st December, 1881, page 136.
Cazlighure. See Kazlee Gioul.
Ceded Territories. Immovable Property. Treaty. Russia. 22nd February, 1828. Art. 12, page 122.
Ceremonial. Visit of Governor-General of Fars to Bender-Abbas. Treaty. Oman. 17th November, 1856. Art. 4, page 113.
..... Reception of Ambassadors. Agreement. Russia. 22nd February, 1828, page 130.
..... Re-establishment of Diplomatic and Friendly Relations with Great Britain. Treaty. 4th March, 1857. Art. 10, page 19. Separate Note, page 21.
Cessions. See Boundaries.
Chekishlar. Telegraph to Asterabad. See Telegraphs.
Civil Jurisdiction. See Consular Jurisdiction.
Claims. Persian and Turkish. Treaty, 31st May, 1847. Art. 1, page 168. See also British Claims.
Coasting Trade. See Caspian Sea.
Coin. See Currency.
Commerce and Commercial Treaties. See Separate Countries.
Commercial Contracts. Austria-Hungary. Treaty, 17th May, 1857. Art. 8, page 69.
..... Germany. Treaty, 11th June, 1873. Art. 12, page 89.
..... Russia. Treaty, 22nd February, 1828. Art. 2, page 126.
Commercial Documents. Legalization. Austria-Hungary. Treaty, 17th May, 1857. Art. 8, page 69.
..... Germany. Treaty, 11th June, 1873. Art. 12, page 89.
..... Russia. Treaty, 22nd February, 1828. Art. 2, page 126.
Commercial Privileges. Austria-Hungary. Treaty, 17th May, 1857. Art. 6, page 68.
..... Denmark. Treaty, 30th November, 1857. Art. 3, page 78.
..... France. Treaty, 13th July, 1855. Art. 3, page 81.

Commercial Privileges. Germany. Treaty, 11th June, 1873. Arts. 5, 6, page 86.
..... Italy. Treaty, 24th September, 1862. Art. 3, page 101.
..... Netherlands. Treaty, 3rd July, 1857. Arts. 3, 4, page 109.
..... Russia. Treaty, 22nd February, 1828. Art. 10, page 121.
..... Ditto. Treaty, 22nd February, 1828. Arts. 1–5, pages 125, 126.
..... Turkey. Treaty, 23rd October, 1727. Art. 4, page 154.
See also Guilds and separate Countries.
Consular Jurisdiction. Austria-Hungary. Treaty, 17th May, 1857. Arts. 9, 12, pages 70, 72.
..... Belgium. Treaty, 31st July, 1857. Art. 5, page 75.
..... France. Treaty, 12th July, 1855. Art. 5, page 82.
..... Germany. Treaty, 11th June, 1873. Arts. 13, 16, pages 89, 90, 91.
..... Great Britain. Treaty, 4th March, 1857. Art. 9, page 19. Order in Council. Persia. 13th December, 1889, page 193.
..... Ditto. Ditto. Persian Gulf and Gulf of Oman (Coasts and Islands). 13th December, 1889, page 199.
..... Greece. Treaty, 28th October, 1861. Art. 9, page 98.
..... Italy. Treaty, 24th September, 1862. Art. 5, page 102.
..... Netherlands. See Consuls.
..... Russia. Treaty, 22nd February, 1828. Arts. 7, 8, pp. 128, 129.
..... Spain. Treaty, 4th March, 1842. Art. 5, page 142.
..... Sweden and Norway. Treaty, 17th November, 1857. Art. 5, pages 147, 148.
..... Switzerland. Treaty, 23rd July, 1873. Art. 5, p. 150.
..... Turkey. Convention, 20th December, 1875. Arts. 1, 7, 179, 182.
..... United States. Treaty, 13th December, 1856. Art. 5, page 188.
Consuls. Appointment and Privileges. Austria-Hungary. Treaty, 17th May, 1857. Art. 7, page 69.
..... Belgium. Treaty, 31st July, 1857. Art. 7, page 76.
..... Denmark. Treaty, 30th November, 1857. Art. 5, page 79.
..... France. Treaty, 12th July, 1855. Art. 7, page 83.
..... Germany. Treaty, 11th June, 1873. Art. 3, page 85.
..... Great Britain. Treaty, 28th October, 1841. Art. 2, page 10.
..... Ditto. Treaty, 4th March, 1857. Art. 9, page 19.
..... Greece. Treaty, 28th October, 1861. Art. 8, page 97.
..... Ditto. Explanatory Article, page 100.
..... Italy. Treaty, 24th September, 1862. Art. 7, page 103.
..... Ditto. Additional Article. 29th September, 1862, page 104.
..... Netherlands. Treaty, 3rd July, 1857. Art. 5, page 110.
..... Russia. Treaty, 22nd February, 1828. Art. 10, page 122.
..... Ditto. Treaty, 22nd February, 1828. Art. 6, page 127.
..... Spain. Treaty, 4th March, 1842. Art. 4, page 142.
..... Ditto. Treaty, 9th February, 1870. Arts. 2, 3, page 145.
..... Sweden and Norway. Treaty, 17th November, 1857. Art. 5, page 147.
..... Switzerland. Treaty, 23rd July, 1873. Art. 7, page 151.
..... Turkey. Treaty, 31st May, 1847. Art. 7, page 171.
..... Ditto. Treaty, 20th December, 1875. Art. 3, page 181.

Consuls. United States. Treaty, 13th December, 1856. Art. 7, page 189. See also Consular Jurisdiction.
..... Right of Consular Staff to purchase Goods for their own use, duty free. Treaty, Russia, 22nd February, 1828. Art. 6, page 127. See also Consuls.
Contracts. See Commercial Contracts.
Criminal Jurisdiction. See Consular Jurisdiction.
Currency. Relative Values of Coin. Convention. Great Britain. Telegraphic. 23rd November, 1865. Art. 14, page 29.
Customs Duties (Imports and Exports). Austria-Hungary. Treaty, 17th May, 1857. Art. 5, page 68.
..... Belgium. Treaty, 31st July, 1857. Art. 4, page 74.
..... Denmark. Treaty, 30th November, 1857. Art. 4, page 78.
..... France. Treaty, 12th July, 1855. Art. 4, page 82.
..... Germany. Treaty, 11th June, 1873. Art. 7, page 87.
..... Great Britain. Treaty, 28th October, 1841. Art. 1, page 10.
..... Ditto. Treaty, 4th March, 1857. Art. 9, page 19.
..... Greece. Treaty, 28th October, 1861. Arts. 5, 6, pages 96, 97.
..... Italy. Treaty, 24th September, 1862. Art. 4, page 102.
..... Netherlands. Treaty, 3rd July, 1857. Art. 4, page 109.
..... Oman (Muscat). Treaty, 17th November, 1856. Art. 10, page 114.
..... Russsia. Treaty, 22nd February, 1828. Art. 8, page 126.
..... Spain. Treaty, 4th March, 1842. Art. 3, page 142.
..... Sweden and Norway. Treaty, 17th November, 1857. Art. 4, page 147.
..... Switzerland. Treaty, 23rd July, 1873. Art. 4, page 150.
..... Turkey. Treaty, January, 1746. Art. 3, page 159.
..... Ditto. January, 1747. Art. 3, page 163.
..... Ditto. Treaty, 28th July, 1823. Art. 2, page 166.
..... Ditto. Treaty, 31st May, 1847. Art. 6, page 171.
..... United States. Treaty, 13th December, 1856. Art. 4, page 188.

Debts. Deceased Subjects. Treaty. Great Britain. January, 1801. Arts. 3, 4, page 2.
..... Payment of, suspended during War. Treaty. Russia. 22nd February, 1828. Art. 11, page 122. See also Property. Succession.
Deceased Subjects. See Property,
Denmark. Commercial Treaty with Persia. 30th November, 1857, page 77.
Deserters. Surrender. See Extradition.
Diplomatic Agents. Reception, Rights, and Privileges—
..... Austria-Hungary. Treaty, 17th May, 1857, Art. 2, page 67.
..... Belgium. Treaty, 31st July, 1857. Art. 2, page 74.
..... Denmark. Treaty, 30th November, 1857. Art. 2, page 78.
..... France. Treaty, 12th July, 1855. Art. 2, page 81.
..... Great Britain. Treaty, January, 1801. Art. 2, page 1. Goods duty Free.
..... Ditto. 4th March, 1857. Art. 10, pages 19, 21.
..... Germany. Treaty, 11th June, 1873. Art. 2, page 85.
..... Greece. Treaty, 28th October, 1861. Art. 2, page 95.
..... Italy. Treaty, 24th September, 1862. Art. 2, page 101.
..... Netherlands. Treaty, 3rd July, 1857. Art. 2, page 109.
..... Russia. Treaty, 22nd February, 1828. Art. 9, page 121.

Diplomatic Agents. Russia. Goods duty Free. Treaty, 22nd February, 1828. Art. 6, page 127.
..... Ditto. Protocol. Ceremonial, 22nd February, 1828, page 130.
..... Sweden and Norway. Treaty, 17th November, 1857. Art. 2, page 147.
..... Switzerland. Treaty, 23rd July, 1873. Art. 2, page 149.
..... Turkey. Treaty, 23rd October, 1727. Art. 3, page 154.
..... Ditto. Treaty, January, 1746. Art. 2, page 158.
..... United States. Treaty, 13th December, 1856. Art. 2, page 187.
..... See also Persians. Protection.
Diplomatic Jurisdiction. See Jurisdiction.
Disputes. See Consular Jurisdiction.
Documents. Legalisation. See Commercial Documents.
Domicile. Inviolability. Austria-Hungary. Treaty. 17th May, 1857. Art. 4, page 63.
..... Germany. Treaty, 11th June, 1873. Arts. 3, 11, pages 85, 88.
..... Greece. Treaty, 28th October, 1861. Arts. 4, 8, pages 96, 97.
..... Russia. Treaty, 22nd February, 1828. Art. 5, page 127.
Dragomans. Treaty. Greece, 28th October, 1861. Art. 8, page 98. See also Protection.
Duties on Ships. See Ships.
..... on Merchandize. See Customs Duties.

Egypt. Special Commercial Arrangements with Persia. 1823, 1889. Page 80.
Ellis, Mr. Henry. Treaty, 25th November, 1814, page 6.
Envoys. See Diplomatic Agents.
Erzeroom. Treaty. Turkey and Persia. Boundary. 28th July, 1823, page 163.
..... Treaty. Ditto. Ditto. 31st May, 1847, page 169.
Evacuation. British. Persian Territory. Treaty, 4th March, 1857. Art. 2, page 17.
Explosive Projectiles. Declaration renouncing use, in time of War, of Explosive Projectiles under 400 grammes weight. 17th December, 1868. See "State Papers," Vol. 58, page 16.
Exportation of Goods. See Trade.
Export Duties. See Customs.
Extradition. Persian Refugees. Treaty. Great Britain. 14th March, 1812. Art. 8, page 5.
..... Ditto. Treaty, 25th November, 1814. Art. 10, page 6.
..... Oman (Muscat). Treaty, 17th November, 1856. Art. 7, page 114.
..... Russia. Treaty, 22nd February, 1828. Art. 14, page 123.
..... Turkey. Treaty, January, 1746. Art. 3, page 158.
..... Ditto. Treaty, 31st May, 1847. Art. 5, page 171.

Failures. See Bankruptcies, Subjects.
Firuze River. Villages and Lands along source. Treaty. Russia. 21st December, 1881. Art. 4, page 139.
Flag. Persian. Hoisting at Bender-Abbas. Treaty, 17th November, 1856, Art. 5, page 113.
Fortifications. Non-erection by Russia of, in Territory evacuated by Persia. Treaty. Russia. 21st December, 1881. Art. 3, page 138.
Forts. Persian evacuation. See Giamab, Kulkulab.

France. Commercial Treaty with Persia. 12th July, 1855, page 80.
..... Persian opposition to hostile attack by French against the English. Treaty. Great Britain. January, 1801. Art. 4, page 1.
..... Persian opposition to French settling or residing in Islands or on Shores of Persia. Treaty. Great Britain. January, 1801. Art. 5, page 1.
..... British assistance to Persia in event of War between France and Persia. Treaty. Great Britain. January, 1801. Art. 5, page 1.
Frontier Disturbances. Treaty. Turkey. January, 1747. Art. 3, page 162.
..... Treaty. Turkey. 31st May, 1847. Art. 8, page 172.
..... Treaty. Turkey. 3rd August, 1869. Art. 1, page 176.
Frontier Trade. Treaty. Russia. Commerce. 22nd February, 1828. Arts. 1, 3, pages 125, 126.
Frontiers. See Boundaries.
Fugitives. Surrender. See Extradition.

Geneva Convention. Persian Accession. 5th December, 1874. "State Papers," Vol. 70, page 1168.
Germany. Commercial Treaty with Persia. 6th—11th June, 1873, pages 84, 93.
Ghoreibeh. See Posht-i-ku.
Giamab Fort. Evacuation by Persia. Convention. Russia. 21st December, 1881, Art. 3, page 138.
Gombroon. See Bender Abbas.
Goods. See Customs Duties. Merchants.
Great Britain. Treaties, &c., with Persia:—Agreement. Sheikh of Bushire. 12th April, 1763, page 11.
..... British Privileges. Factory at Bushire. Trade in Persian Gulf. 2nd July, 1763, page 11.
..... Political Treaty. January, 1801, page 1.
..... Commercial Treaty. January, 1801, page 1.
..... Preliminary Treaty. Friendship and Alliance. 12th March, 1809, page 4.
..... Definitive Treaty. Friendship and Alliance. 14th March, 1812, page 5.
..... Definitive Treaty. Friendship and Alliance. 25th November, 1814, page 6.
..... Bonds cancelling Subsidy Articles of Treaty of 25th November, 1814. March—August, 1828, page 7.
..... Firmaun. Equal trading privileges with Russian Merchants. 5th May, 1836, page 48.
..... Firmaun. Protection of Servants and Dependents of British Mission. 15th September, 1839, page 48.
..... Ditto. Ditto. April, 1840, page 49.
..... Commercial Treaty. 28th October, 1841, page 9.
..... Firmaun. Protection of British Merchants in cases of Bankruptcy. May (June), 1844, page 50.
..... Slave Trade Agreement, August, 1851, page 12.
..... Engagement with regard to Herat. 25th January, 1853, page 14.
..... Treaty of Peace. 4th March, 1857, page 16.
..... Engagement. Telegraph Line. Kanakeen to Bushire. 17th December, 1862, page 23.
..... Telegraph Convention. Europe and India. 23rd November, 1865, page 25.

Great Britain. Telegraph Convention. Europe and India. 2nd April, 1868, page 30.

..... Arrangement. Boundary. Persia and Beloochistan (Kelat). 1—4th September, 1871, page 105.

..... Telegraph Convention, continuing Convention of 23rd November, 1865, for three months from 13th August, 1872. 19th June, 1872, page 30.

..... Arrangement. Persia and Afghanistan. Seistan Boundary. (British Award). August, 1872, page 63.

..... Telegraph Convention. Europe and India. Third Wire, &c. 2nd December, 1872, page 32.

..... (Proposed) Amended Arrangement. Persia and Kelat (Beloochistan). 15th May, 1873, page 106.

..... Slave Trade. Convention, 2nd March, 1882, page 40.

..... Agreements prolonging Telegraph Conventions of 2nd April, 1868, and 2nd December, 1872, until 31st January, 1905. 3rd July, 1887, page 43.

Greece. Commercial Treaty with Persia. 28th October, 1861, page 94.

Guilds. Turkish. Entrance of Persian Subjects. 20th December, 1875. Art. 2, page 181.

Gulistan. Treaty. Russia and Persia. Peace. 12th October, 1813. Abrogated by War. Treaty. Russia. 22nd February, 1828, Art. 2, page 118.

Herat. Persian Engagement towards Great Britain. 25th January, 1853. Page 14.

..... Withdrawal of Persian Troops. Treaty. Great Britain and Persia. 4th March, 1857. Art. 5, page 17.

..... Relinquishment of Persian claim to Sovereignty. Treaty. Great Britain. 4th March, 1857. Art. 6, page 18.

..... Persian Recognition of Independence. Treaty. Great Britain. 4th March, 1857. Art. 6, page 18.

..... Differences with Persia. Friendly offices of British Government. Treaty. Great Britain. 4th March, 1857. Art. 6, page 18.

Holy Places. Pilgrims. See Pilgrims.

Hormuz Island. Treaty. Oman. 17th November, 1856. Art. 1, page 112.

Horses. Abolition of Export Duty. July (August), 1823. Page 47.

Houses, Shops, and Warehouses. Right to build or rent:—

..... Austria-Hungary. Treaty, 17th May, 1857. Art. 4, pages 67, 68.

..... Belgium. Treaty, 31st July, 1857. Art. 3, page 74.

..... Germany. Treaty, 11th June, 1873. Art. 6, page 87.

..... Great Britain. Treaty, January, 1801. Art. 5, page 2.

..... Greece. Treaty, 28th October, 1861. Art. 4, page 95.

..... Russia. Treaty, 22nd February, 1828. Art. 5, page 127.

See also Kazlee Gioul. Land. Property.

Hussein Bey. Liberation. Treaty. Turkey. 23rd October, 1727. Art. 6, page 154.

Huveise. Province. Treaty. Turkey. 23rd October, 1727. Art. 2, page 154.

Immammazem Temple. Right of Persians to visit. Treaty. Turkey. 23rd October, 1727. Art. 5, page 153.
Importation of Goods. See Trade.
Import Duties. See Customs.
Indemnity. Pecuniary. Persia to Russia. War. Treaty. 22nd February, 1828. Art. 6, page 120.
Independence of Persia. Understanding between Great Britain and Russia. 1834—1888. Page 209.
India. Attempted Invasion by Afghans or any other Power. See Afghanistan.
..... Measures for Defence. Treaty, 14th March, 1812. Art. 1, page 5.
..... Ditto. Treaty, 25th November, 1814. Art. 1, page 6.
See also Pilgrims.
Integrity of Persia. Understanding between Great Britain and Russia. 1834—1888. Page 209.
Internal Trade. Laws respecting. Greece. Treaty, 28th October, 1861. Art. 4, page 96.
..... Italy. Treaty, 24th September, 1862. Art. 3, page 101.
..... Netherlands. Treaty, 3rd July, 1857. Art. 3, page 109.
..... Switzerland. Treaty, 23rd July, 1873. Art. 3, page 150.
Intestate Property. See Property.
Inviolability of Domicile. See Domicile.
Irak. Part ceded by Persia to Turkey. Treaty. January, 1747. Page 160.
Italy. Commercial Convention with Persia. 24th September, 1862. Page 100.
..... Additional Article. Silkworms' Eggs and Cocoons. Appointment of Consuls. 29th September, 1862. Page 104.

Jones, Sir Harford. Preliminary Treaty of Friendship and Alliance. Great Britain and Persia. 12th March, 1809. Page 4.
Jurisdiction. See Consular Jurisdiction.

Karun River. Persian Circular. Opening of, from Mohammerah to Ahwas. 30th October, 1888. Page 58.
Karrak, I. of. Non-retention by Great Britain. Treaty, 12th March, 1809. Art. 5, page 4.
..... Supplies for British Troops. Treaty, 12th March, 1809. Art. 6, page 4.
Kazlee Gioul. Repair of Houses. Treaty. Turkey. 3rd August, 1869. Art. 5, page 177.
Kelat. Arrangement. Boundary. Persia (Beloochistan and Mekran). 1st—4th September, 1871. Page 105.
..... Amended Arrangement (proposed). Ditto. 15th May, 1873. Page 106.
Kerrind Valley. Abandonment by Turkey. Treaty, 31st May, 1847. Art. 2, page 169.
Khizr Island. Persian Sovereignty. Treaty. Turkey. 31st May, 1847. Art. 2, page 170.
Khorassan Boundary. See Akhal-Khorassan.
Khotour. Protocol. Great Britain and Russia. Boundary. Persia and Turkey. 27th July, 1880. Page 219. (Map).
Kishm Island. Treaty. Oman. 17th November, 1856. Art. 1, page 112.
Kohuk. See Beloochistan.
Kulkulab Fort. Evacuation by Persia. Convention. 21st December, 1881. Art. 3, page 138.

Land. Right to possess. Treaty. Austria-Hungary. 17th May, 1857. Art. 4, page 68.
..... Ditto. Treaty. Germany. 11th June, 1873. Art. 6, page 87.
See also Houses.
Land Disputes. Treaty. Turkey. 3rd August, 1869. Arts. 1—7, page 176.
Laws. Submission of Foreigners to :—
..... Austria-Hungary, 17th May, 1857. Art. 4, page 68.
..... Belgium. 31st July, 1857. Art. 3, page 74.
..... Denmark. 30th November, 1857. Art. 3, page 78.
..... Germany. 11th June, 1873. Art. 6, page 87.
..... Greece. 28th October, 1861. Art. 4, page 96.
..... Italy. 24th September, 1862. Art 3, page 101.
..... Netherlands. 3rd July, 1857. Art. 3, page 109.
Lighthouse Dues. Germany. Treaty, 11th June, 1873, Art. 9, page 88.

Mecca and Medina. Pilgrims. See Pilgrims.
Merchandize. Duty on. See Customs Duties.
Mekran. Boundary. See Beloochistan.
Malcolm, Sir John. Treaties. Great Britain and Persia. January, 1801. Page 1.
Merchants and Travellers. Privileges, Protection, and Treatment :—
..... Austria-Hungary. Treaty, 17th May, 1857. Art. 4, page 67.
..... Denmark. Treaty, 30th November, 1857. Art. 3, page 78.
..... France. Treaty, 12th July, 1855. Art. 3, page 81.
..... Germany. Treaty, 11th June, 1873. Art. 6, page 86.
..... Great Britain. Treaty, 28th October, 1841. Art. 1, pages 9, 10.
..... Greece. Treaty, 28th October, 1861. Art. 4, page 95.
..... Italy. Treaty, 24th September, 1862. Art. 3, page 101.
..... Netherlands. Treaty, 3rd July, 1857. Art. 3, page 109.
..... Russia. Treaty, 22nd February, 1828. Art. 10, page 122.
..... Ditto. Treaty, Commerce, 22nd February, 1828. Page 125.
See also Subjects.
Military Service. Treaty. Turkey. 20th December, 1875. Art. 6, page 182.
Mohammerah. Persian Sovereignty. Treaty. 31st May, 1847. Art. 2, page 170.
Money. See Currency.
Monopolies. See Merchants, Privileges.
Morier, Mr. James. Treaty, 25th November, 1814, page 6.
Most Favoured Nation. Commerce and Navigation, Subjects, &c :—
..... Austria-Hungary. Treaty, 17th May, 1857. Art. 3, page 67.
..... Belgium. Treaty, 31st July, 1857. Art. 3, page 74.
..... France. Treaty, 12th July, 1855. Art. 3, page 81.
..... Great Britain. Treaty, 28th October, 1841. Art. 1, page 10.
..... Great Britain. Treaty, 4th March, 1857. Art. 9, page 19.
..... Germany. Treaty, 11th June, 1873. Art. 4, page 86.

Most Favoured Nation. Commerce and Navigation, Subjects, &c. (*contd.*) :—
..... Greece. Treaty, 28th October, 1861. Art. 4, page 95.
..... Italy. Treaty, 24th September, 1862. Art. 3, page 101.
..... Netherlands. Treaty, 3rd July, 1857. Art. 3, page 109.
..... Switzerland. Treaty, 23rd July, 1873. Arts. 3, 4, page 150.
..... Turkey. Treaty, 4th January, 1876. Art. 14, page 184. See also Consuls.]
Muscat. See Oman.

Natives. See Persia. Protection. Subjects.
Navigation Dues. See Ships.
Netherlands. Commercial Treaty with Persia. 3rd July, 1857, page 108.
..... Colonies. Special Privileges. Treaty, 3rd July, 1857. Art. 4, page 110.

Oman. Treaty with Persia respecting Bender Abbas, &c. 17th November, 1856, page 112.
Oman, Gulf of. Order in Council. British Consular Jurisdiction. 13th December, 1889, page 199.
Ormuz Island. See Hormuz.
Order in Council. British Consular Jurisdiction in Persia. 13th December, 1889, page 193.
..... Ditto in Persian Gulf and Gulf of Oman. 13th December, 1889, page 199.
Ouseley, Sir Gore. Treaty, 14th March, 1812, page 5.

Passports. Belgium. Treaty, 31st July, 1857. Art. 3, page 74.
..... Germany. Treaty, 11th June, 1873. Art. 5, page 86.
..... Great Britain. Agreement. For Mecca or India. August, 1851. Art. 3, page 13.
..... Greece. Treaty, 28th October, 1861. Art. 3, page 95.
..... Russia. Treaty, 22nd February, 1828. Art. 1, page 125.
..... Turkey. Treaty, 20th December, 1875. Art. 5, page 182.
Persia. Independence and Integrity. Understanding. Great Britain and Russia. 1834—1888, page 209.
..... *Succession to Persian Throne.* Agreement. Great Britain and Russia. August–September 1834, page 215.
See also Consular Jurisdiction. Slave Trade.
Persians. Hire and Punishment by British Employés. Treaty. Great Britain. January, 1801. Art. 4, page 2.
..... Hire and Punishment by Persian Authorities when in Russian Employ. Treaty. Russia. 22nd February, 1828. Art. 6, page 128.
..... Proclamation and Firmaun. Protection of Lives and Properties of Persians. 26th May, 1888, pages 56, 57. See also Protection.
Persian Army. British Officers. Treaty. Great Britain. 14th March, 1812. Arts. 3, 10, page 5.
..... Ditto. Treaty. Great Britain. 25th November, 1814. Art. 5, page 6.
Persian Gulf. Assistance to Persia by British Ships of War. Treaty, 25th November, 1814. Art. 11, page 6.

Shatt-ul-Arab. Persian Right to certain Lands. Treaty. Turkey. 31st May, 1847. Art. 2, page 170.
..... Right of Persian Ships to Navigate. Treaty. Turkey. 31st May, 1847. Art. 2, page 170.
Ships. Repair of. Great Britain. Treaty. January, 1801. Art. 5, page 2.
..... Duties on. Belgium. Treaty. 31st July, 1857. Art. 4, page 74.
..... Ditto. Denmark. Treaty. 30th November, 1857. Art. 4, page 78.
..... Ditto. Germany. Treaty. 11th June, 1873. Art. 9, page 88.
..... Ditto. Greece. Treaty. 28th October, 1861. Art. 6, page 97.
Shops. See Houses.
Silkworms' Eggs, and Cocoons. Italy. Additional Articles. 29th September, 1862, page 104.
Slave Trade and Slaves. Great Britain and Persia. Agreement. Right of Search, &c. August, 1851, page 12.
..... Ditto. Treaty. Persian Gulf. 4th March, 1857, Art. XIII. Renewal of Agreement of August, 1851, page 20.
..... Ditto. Convention. Suppression of Traffic in Slaves. Right of Search, &c. 2nd March, 1882, page 40. Agreement of August, 1851, cancelled.
..... Ditto. Order in Council for execution of Convention of 2nd March, 1882. 18th August, 1882, page 42.
..... Treaty. Turkey. Freedom of Slaves. Slave Trading. January, 1747. Art. 3, page 162.
..... Firmauns. Prohibiting Importation of Negro Slaves into Persia by Sea. 12th June, 1848, pages 54, 55.
..... Ditto. Prohibiting Trade in Black Slaves and Slave-Girls by Sea, July, 1848, page 56.
..... Notice. Prohibition against Traffic in Slaves, by Sea or Land. 1st February. 1890, page 58.
Spain. Commercial Treaty with Persia. 4th March, 1842, page 140.
..... Ditto. 9th February, 1870, page 144.
Subjects. Treatment. Austria-Hungary. Treaty, 17th May, 1857. Art. 3, page 63.
..... Ditto. Great Britain. Treaty, 28th October, 1841. Art. 1, page 10. See also Merchants, Most Favoured Nation, Protection, Property.
Subsidy. British to Persia (conditional). Treaty, Great Britain, 12th March, 1809. Art. 4, page 4.
..... Treaty, Great Britain, 14th March, 1812. Arts. 2, 3, 4, page 5.
..... Treaty, Great Britain, 25th November, 1814. Arts. 3, 4, 7, page 6.
..... Agreement. Ditto. Subsidy Articles of Treaty of 25th November, 1814, cancelled. March—August, 1828, page 7.
Succession to Persian Throne. Treaty. Russia. 12th October, 1813. Art. 4, page 115.
..... Treaty. Russia. 22nd February, 1828. Art. 7, page 120.
..... Agreement. Great Britain and Russia. August—September, 1834, page 215.
Succession to Property. See Property.
Suleimania. Abandonment of Persian Claims. 31st May, 1847. Art. 2, page 170.
Sultanie. Jurisdiction. Treaty. Turkey. 23rd October, 1727. Art. 1, page 154.
Sweden and Norway. Commercial Treaty with Persia. 17th November, 1857, page 146.
Switzerland. Commercial Treaty with Persia. 23rd July, 1873, page 149.

Tabreez. Residence of British Consul-General. Treaty. Great Britain. 28th October, 1841. Part 2, page 10.
Tauris. See Tabreez.
Taxes. Austria-Hungary. Treaty, 17th May, 1857. Art. 4, page 67.
..... Germany. 11th June, 1873. Art. 6, page 87.
..... Great Britain. 28th October, 1841. Art. 1, page 10.
..... Ditto. 4th March, 1857. Art. 9, page 19.
..... Greece. Treaty, 28th October, 1861. Arts. 4, 5, pages 95, 96.
..... Netherlands. Treaty, 3rd July, 1857. Art. 4, page 109.
..... Spain. Treaty, 4th March, 1842. Art. 3, page 142.
..... Sweden and Norway. Treaty. 17th November, 1857. Art. 4, page 147.
..... Switzerland. Treaty, 23rd July, 1873. Art. 4, page 150.
..... United States. Treaty, 13th December, 1856. Art. 4, page 188.
Teheran. Residence of British Commercial Agent. Treaty. Great Britain. 28th October, 1841, Art. 2, page 10.
Telegraphs. Great Britain and Persia. Khanakeen to Bushire. Engagement. 17th December, 1862. Page 23.
..... Ditto. International Telegraph Convention (Paris). 17th May, 1865. See "State Papers," Vol. 56, page 295.
..... Ditto. Europe and India. Convention. 23rd November, 1865. Page 25.
..... Ditto. Concession. Persian Government to Messrs. Siemen and Co., Indo-European Telegraph Company. Joulfa (Russian Frontier) to Teheran. 11th January, 1868. See "Aitchison's Treaties," Vol. 6, page xxv.
..... Ditto. Europe and India. Convention. 2nd April, 1868. Page 30.
..... Ditto. International Telegraph Convention. 21st July, 1868. See "State Papers," Vol. 59, page 322.
..... Ditto. Mr. G. Siemen (Indo-European Telegraph Company) and Persian Government. Agreement. See "Aitchison's Treaties," Vol. 6, page xxix.
..... Ditto. International Telegraph Convention (Rome). 14th January, 1872. See "State Papers," Vol. 66, page 975.
..... Ditto. Continuation of Convention of 23rd November, 1865, for three months from 13th August, 1872. Agreement. 19th June, 1872. See "Aitchison's Treaties," Vol. 6, page 42.
..... Ditto. Europe and India, through Persia, &c. 2nd December, 1872. Page 32.
..... Ditto. International Telegraph Convention (St. Petersburgh). 22nd July, 1875. See "State Papers," Vol. 66, page 19.
..... Ditto. Prolongation of Convention of 2nd April, 1868, and 2nd December, 1872, until 31st January, 1905. Agreements. 3rd July, 1887. Page 43.
..... Russia and Persia. Convention. Chekishlar to Asterabad. 31st January, 1881. Page 134.
..... Turkey and Persia. Treaty, 28th November, 1863. Page 173.
Tonnage Dues. Treaty. Germany. 11th June, 1873. Art. 9, page 88.
See also Ships.
Tourkmantchai. Treaty. Russia and Persia. Peace, Friendship, Boundary, &c. 22nd February, 1828. Page 117.
..... Ditto. Commerce. 22nd February, 1828. Page 125.
..... Protocol. Ceremonial. Reception of Ambassadors, &c. 22nd February, 1828. Page 130.

Trade Privileges. See Commercial Privileges, Guilds, and Separate Countries.
Transport of Goods. Belgium. Treaty. 31st July, 1857. Art. 3, page 74.
..... Denmark. Treaty. 30th Nov., 1857. Art. 3, page 78.
..... France. Treaty. 12th July, 1855. Art. 3, page 82.
See also Commercial Privileges.
Travellers. See Merchants and Travellers.
Treaties. Abrogation of all Treaties between Persia and European Powers. Treaty. Great Britain and Persia. 12th March, 1809. Art. 3, page 4.
..... Ditto. Ditto. 25th November, 1814. Art. 1, page 6.
..... Confirmation of all Treaties, &c., between Persia and Russia. Treaty. Russia. 21st December, 1881. Art. 8, page 140.
See also Separate Countries.
Trials. See Consular Jurisdiction.
Turco-Persian Boundary. Treaty. Turkey and Persia. 28th July, 1823, page 163.
..... Treaty. Ditto. Ditto. 31st May, 1847, page 169.
..... Agreement. Great Britain and Russia. March, 1865. Page 218.
..... Turkey and Persia. Agreement. 3rd August, 1869. Page 176.
..... Protocol. Great Britain and Russia. Territory of Khotour. (Map.) 27th July, 1880. Page 219.
Turcomans. Non-establishment by Russia in localities evacuated by Persia. Treaty. Russia. 31st December, 1881. Art. 3, page 138.
..... Non-supply of Arms or War Material to. Treaty. Russia. 21st December, 1881. Art. 6, page 139.
..... Appointment of Russian Agents to preserve Order. Treaty. Russia. 21st December, 1881. Art. 7, page 140.
Turkey. Treaties, &c., with Persia. Treaty. Limits. 1639. Note page 153.
..... Treaty. Peace, Commerce, &c. 23rd October, 1727. Page 153.
.... Annual payment to be made by Persia, 23rd October, 1727. Art. 7, page 153.
..... Treaty. Peace. January, 1746. Page 155.
..... Treaty. Peace. January, 1747. Page 160.
..... Treaty. Peace. 28th July, 1823. Page 163.
..... Treaty. Limits (Erzeroum). 31st May, 1847. Page 169.
..... Convention. Telegraphic. 28th Nov., 1863. Page 173.
..... Provisional Agreement. Frontiers. 3rd August, 1869. Page 176.
..... Convention, Confirmation of former Treaties. Consular Jurisdiction. Civil and Commercial Suits. Trade Guilds. Protection. Nationality, &c. 20th December, 1875. Page 179.
..... Vizirial Letter, explanatory of Ditto. 4th January, 1876. Page 184.
..... Protocol. Great Britain and Russia. Delimitation of Territory of Khotour. 27th July, 1880. Page 219.
..... Limits. See Boundaries.

United States. Commercial Treaty with Persia. 13th December, 1856. Page 186.

Vessels. See Ships.

SUBJECT INDEX.

War. Non-interruption of Trade in event of War with other Powers :—
..... Austria-Hungary. Treaty, 17th May, 1857. Art. 13, page 72.
..... Belgium. Treaty, 31st July, 1857. Art. 8, page 76.
..... Germany. Treaty, 11th June, 1873. Art. 18, page 91.
..... Greece. Treaty, 28th October, 1861. Art. 10, page 99.
..... Ditto. Debts. Treaty, 22nd February, 1828. Art. 11, page 122.
..... Russia. Treaty, 22nd February, 1828. Art. 4, page 127.
Warehouses. See Houses.
Water Supply. Akhal. Non-interference with, by Persia. Treaty. Russia. 21st December, 1881. Art. 4, page 139.
Wills. See Succession to Property.
Wounded in War. Persian Accession to Geneva Convention of 22nd August, 1864. 5th December, 1874. See "State Papers," Vol. 70, page 1168.
Wrecks and Salvage. Germany. Treaty, 11th June, 1873. Art. 10, page 88.
..... Great Britain. Treaty, January, 1801. Art. 5, page 1.
..... Greece. Treaty, 28th October, 1861. Art. 7, page 97.
..... Ditto. Treaty, 22nd February, 1828. Art. 8, page 121.

Zohab. Abandonment, by Persia and Turkey respectively, over certain lands. Treaty, 31st May, 1847. Art. 2, page 169.

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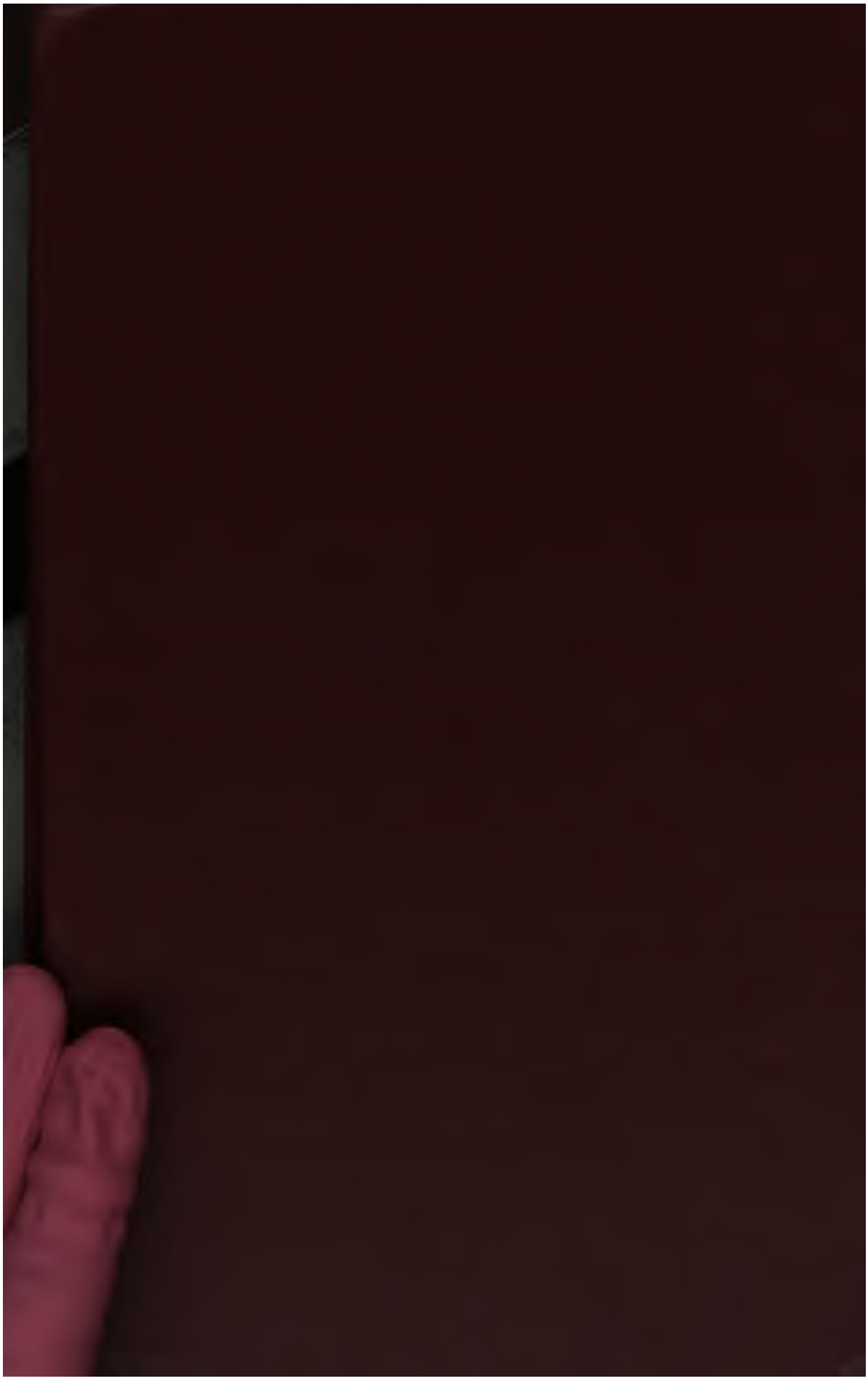
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